

STATE OF ILLINOIS  
91ST GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

54th Legislative Day

May 19, 1999

Speaker Hartke: "The House shall come to order. The House shall come to order. We'll be led in prayer today by the Reverend Marlin Otte of Our Redeemer Lutheran Church in Marion. Reverend Otte is the guest of Representative Flowers, Fowler. Guests in the gallery may wish to rise and join us for the invocation and stay standing for the Pledge of Allegiance. Reverend Otte."

Reverend Otte: "Let us pray. Dear God, we thank and praise You for the opportunity to gather together to do the will of the people of this great state. We ask that You would come into the midst of the Assembly. In this period of meditation we pray that You would help focus and direct the minds and the tensions and the resources of this Body to the work of the people. We thank You for the many resources that You have given this state, from its industries and its farms, its coal fields, and to its many businesses. Help us Lord to be wise stewards of all those resources, to use them in a way that is a blessing to all the people of the state. We thank You for the... the human resources, the people, the creative powers that You have given these people. And we pray that they may all be brought to bear for the furtherance of not only the actions of this state, but also, to alleviate those who are in need; the poor, the needy, that it may be used to lift up and to maintain the welfare of all its citizens. We pray, Lord, that You would work today in the Session to bring about consensus, to bring about progress in the Bills and those things that will be discussed this day. That Your will may be accomplished through this Assembly. We pray Your blessings on those Representatives who are undergoing sickness and are absent, those who are absent because of loss and are grieving. Support and uplift them. We pray

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your blessings upon those present, that they too, Lord, may do Your will on this day. We pray that You would guide and direct all of the decisions before this group today. We ask it in Gods name. Amen."

Speaker Hartke: "We'll be led in the pledge today by Representative Wirsing."

Wirsing- et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Hartke: "Roll Call for Attendance. Representative Durkin, report on the Republican side."

Durkin: "Thank you, Mr. Speaker. Representative Osmond is excused today. Other than that, the House Republicans are all present, and ready to go to work."

Speaker Hartke: "Representative Currie, report on the Democrat side."

Currie: "Thank you, Speaker. First, I'm sure all my colleagues join me in wishing you, Speaker Hartke, sending you our deepest sympathies on the news of your mother's death. Second, the... we have no reports of excused absences among House Democrats today."

Speaker Hartke: "Mr. Clerk, take the record. One hundred and seventeen Members answering the call. A quorum is present, and the House is ready for business. For what reason does the Gentleman from Cook, Representative Lang, seek recognition?"

Lang: "Thank you, Mr. Speaker. I was wondering if this would be the time to ask Mr. Poe if this would be the appropriate moment to send the Pages out for 118 orders of fries?"

Speaker Hartke: "I don't think Representative Poe is on the... I think Mr. Poe's busy right now. On page 23 of the

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Calendar, appears House Resolution 95. Representative McGuire. Mr. Clerk, read the Resolution. Representative McGuire."

McGuire: "Thank you, Mr. Speaker. I have House Resolution 95 that I'd like to present today. And what Resolution 95 is all about is the Social Security System in this country. And it's a Resolution to urge the Congress of the United States take responsible steps to strengthen and protect the Social Security System. And we have a whereas and wherefores, but I'll skip reading those unless someone has some questions about it. But, that's basically, what we're talking about. I ask for your 'aye' vote."

Speaker Hartke: "Is there any discussion on House Resolution 95? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Resolution 95?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 95 is adopted. Representative Mitchell, for what reason do you seek recognition?"

Mitchell: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Mitchell, J.: "Ladies and Gentlemen of the House, I'm very happy to announce to you a former House of Representatives Member and great Senator from the 37th district. From Prophetstown, Illinois, the great Senator Calvin Schuneman."

Speaker Hartke: "Welcome to the House. Page 24 of the Calendar appears House Resolution 160. Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 160 urges the Illinois Congressional Delegation to support restoration of full funding for the

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Social Service Block Grant Title XX Program. This was cut 17% by Congress this year, this money goes to some very important human service programs in the State of Illinois. I'm seeking your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Yes, Mr. Speaker. I wonder if the Sponsor could come down from the Code and tell us what Title XX is? For those who, you know, don't read the Federal Code before we go to bed."

Lang: "Well, Title XX is a program in Washington, I'm not a big expert on it. But, it's a program in Washington that allows them to give block grants to the state for certain needs. So, in the, in the Federal Fiscal Year in '96, '97, and '98. In each of those years Illinois was given over \$100 million for these human service needs that are spread amongst youth intervention services, domestic violence, adoption services and many other programs in the State of Illinois. Congress cut that to \$84 million last year and there's some threat that they're gonna cut it further this year. We think we need to have the Illinois delegation fight for restoring that to full funding, so that we don't have gaps in our budget line items here in Illinois."

Skinner: "Thank you for the explanation."

Speaker Hartke: "Further discussion? The question is, 'Shall the House adopt House Resolution 160?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 160 is adopted. Page 24 of the Calendar, appears House Resolution 168. Representative Erwin. Representative Lawfer."

Lawfer: "Thank you, Mr. Speaker. You were right, Representative Erwin and I are presenting this Resolution together and so

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on. What this Resolution does is creates a commission to study the merits and values of industrial hemp as a alternative crop for the State of Illinois. This task force would do the necessary research to examine the issues to, also, to study the viability of it, the legal obstacles and make any recommendations and report to the House of Representatives prior to January 1, 2000. And at that time, the task force would be dissolved. Mr. Chairman (sic-Speaker), at this time I would like to relish (sic-relinquish) my time to Representative Erwin."

Speaker Hartke: "Representative Erwin."

Erwin: "Thank you, thank you, Speaker. I rise in strong support of House Resolution 168. I think... it should come as no surprise, that Illinois needs to join most of the other agricultural states in the nation in moving towards studying the viability of growing industrial hemp. In the Chicago Sun Times last Sunday and every day this week, there have been numerous stories that us city folks don't always get to read, about the serious, serious economic situation in the Illinois agricultural community. I think that for those that are concerned about the state's economy, whether you represent a rural district or not, the implications in terms of agribusiness for the Illinois economy are so serious that I believe strongly that we need to be looking at other crops that are viable. Industrial hemp is not a pie in the sky. It's not artichokes or fancy fruit or something unrealistic. It is a crop that grew throughout the State of Illinois for over 100 years and other states in the Midwest are moving in this direction. Currently, Canada has a very large Industrial Hemp production operation and I just think that at a minimum, working with our Illinois Department of Agriculture we need

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to approve this task force to decide whether or not this is a viable option for our state. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I also, rise in strong support of this Resolution. At a time when the farm economy in Illinois is suffering from, from very low markets and a tough time for them. I think it's definitely time for us to look at all of the markets available, not close our options. We have some of the greatest farmland in the nation and we need to make sure that we don't close the door on our farmers, so that they can regain some of the status that they've had in past years. I urge a strong 'aye' vote. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Will Representative Lawfer yield for a question?"

Speaker Hartke: "Representative Lawfer will yield."

Parke: "Representative, yesterday you had sort of a Punch and Judy show up front. Was that to show us all the uses for this hemp? And are there are other things that are important, like rotation of crops or anything else like that, that also is important for this product?"

Lawfer: "Not only are there up to 25,000 products that could be produced from industrial hemp but, it is very environmentally favorable. It utilizes a tremendous amount of phosphorus. And, if you remember, in the Livestock Facilities Act we talked about the possibility of phosphorus being over applied. Industrial hemp uses three times as much phosphorus out of the soil as a corn or soybean crop. So, it's very environmentally favorable in

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that regard. It, also, can be grown without insecticides and pesticides and this makes it a very vital crop if we were looking at industrial hemp for fiber production. It can be produced without insecticides and pesticides that are necessary when we grow the cotton crop now. The cotton crop now, is taking a tremendous amount of pesticides so, the cotton producers are looking at the possibility of raising hemp in that, as an alternative crop."

Parke: "Now, if we, if we pass this Resolution, what do you want to have happen by virtue of introducing the Resolution to the General Assembly?"

Lawfer: "Well, at the present time, of course, it's illegal to grow industrial hemp and what we're looking at is, by the commission, is to see whether, what do we have to do to change so that we can start at least experimenting with different varieties. There are different varieties of industrial hemp, very much similar to the difference between sweet corn and field corn. So, we need to study those varieties, we are unable to look at those varieties, now. There are varieties that can be very valuable for seed production. There's varieties that are very vital for fiber production. Those are two different varieties: seed production, relatively small plants, the industrial or fiber type of varieties may grow as high as 14 feet high. We need to study those. We are unable, unable to even experiment with this in the laboratories in the State of Illinois at this time. This commission then would study this issue and report back to us by January 1, what we need to do, so that we can at least look into the viability of that crop."

Parke: "Well, I'm gonna have to ask you this question because some of my colleagues have already indicated their

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question. With sweet corn, field corn and sweet corn we can both, eat both. With hemp, is it like its other derivative, can it be, have any kind of medicinal purpose or can it be used in the processing of drugs?"

Lawfer: "Industrial hemp is very low in the drug content of the leaves. And... And as you took the different varieties, as we grow, especially if we would grow industrial hemp for fiber. This would be a plant that is very tall, very few leaves. So, but the medicine or the medicinal purposes are in the leaf. However, if there is a variety that is, of industrial hemp is grown in the vicinity of a hemp plant that is high in medicinal attributes they cross pollinate. And I had an expert testify that this could be up to eight miles that they will cross pollinate, the plants will cross pollinate. And the result of the cross pollination will be a plant that is very, very low in drugs."

Parke: "So, it, so it would be extremely difficult for people to harvest it and to smoke it for a drug component. Is that what you're saying?"

Lawfer: "That... that is very correct. I have not, of course, had that experience, but I have had people say that if people wanted to use industrial hemp as a, some type of..."

Parke: "Hallucinogen."

Lawfer: "... attribute in drug use and so on they would get, be very, very ill."

Parke: "And so, this Resolution...."

Lawfer: "I mean physically ill, so that's not..."

Parke: "All right, so, this Resolution is to study it for Illinois farmers, for the good purpose of an alternative crop that has many uses. And something that... are they gonna report back to the General Assembly or is it gonna be reported to the Department of Conservation? Who gets the



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ultimate report on this study?"

Lawfer: "Right. The intent of this Resolution, which is very close to a Resolution that has passed the Senate, is to work with the Department of Agriculture and the University of Illinois, to come up with a recommendation by the 1st of January. Representative Erwin and I have had conversations with the Director of Agriculture and we do not feel that if this Resolution passes, we do not feel that we need to overlap what currently has passed the Senate. We will try and work together, the task forces would be working together and avoid duplication and have a report to you, the General Assembly by the 1st of January. Maybe Representative Erwin would like to add to this, at this time."

Parke: "Well, let me just say as I have the upmost confident in Representative Erwin and Representative Lawfer. And so, if you'll... monitor this and if you see any problems with it, please let us know. But, we'll just count on you both to monitor this program to make sure that it achieves what your ultimate goal is and if there's anything that deters that, that you'll share that with us. So, I plan on voting for your House Resolution 168. Thank you."

Speaker Hartke: "Further discussion? Representative Bellock."

Bellock: "I just have some reservations about this because of a constituent who visited my office last week. And the reservation was that the hemp product now being raised has as much ingredients as the marijuana plant did 15 years ago."

Lawfer: "I... I'm sorry."

Bellock: "No, go ahead."

Lawfer: "I think that is a statement that is incorrect and I think that this, if we pass this Resolution that this task

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force would point that out that that statement we believe to be incorrect."

Bellock: "Okay. I just had that discussion. I don't have that information with me, but I just wanted to voice my concern about that."

Lawfer: "Well, your concern is, is one that is very valid. A lot of people have this concern in... regards to it. This Resolution, in no way, legalizes industrial hemp. What we're looking at is a possibility of legislation. This is not legislation in any regard. This is only to look at and recommend, possibly propose legislation. So that, at least, we can experiment with this as a field crop."

Bellock: "Okay, thank you."

Speaker Hartke: "Representative Bellock, to further clarify that, Representative Erwin has... the answer."

Erwin: "Thank you. Representative Bellock, if... I could, industrial hemp has less than 1% THC by weight. THC is the active ingredient that, I guess, would make you 'high'. Okay? Five percent or more is what a marijuana hemp plant would require. What is happening and has happened in Europe and long, you know, in Europe and previously in the United States, the plants that were cultivated were less than 1%. And in fact, they're working on seeds now that will have no THC content at all. So, it's a very, very low content and what Europe and Canada does is they require by law that the THC content be less than 1%. But with all of the bio-engineering going on now, they, I'm looking at... something right now that indicates that they are very close to producing an industrial hemp seed with 0% THC. But we are definitely talking about absolutely two different plants."

Speaker Hartke: "Further discussion? The Chair recognizes the

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Gentleman from Vermilion, Representative Black. Welcome to the floor this morning, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. It's always wonderful to be with you in May in beautiful downtown Springfield. I would simply rise to speak in favor of the Resolution. It's unfortunate, but the word hemp to some people conjures up farmers getting into the illicit drug business. Now, Ladies and Gentlemen, look at Representative Lawfer. If Representative Lawfer looks to you to be someone who would be involved in this nefarious and illegal activity, I submit to you that that's just not the case. Representative Erwin, Erwin has made the case about the difference in THC. Industrial hemp used to be a cash crop in my district, before WWII, it was a major crop. For a number of reasons, over the years it has lost favor. It might be a cash crop that can revitalize some of our agricultural areas. And for those that are queasy about the Resolution, that's fine, you can vote 'no'. But, so do, not based on what somebody said. Folks, everything we do here, our pharmaceutical programs, our alcohol programs, our tobacco programs, everything we do here, I suppose, has a component that somebody can figure out a way to abuse. And I suppose, if you're bound and determined you can find a way to abuse industrial hemp. I don't think so, but again, when I grew up in rural Illinois I remember smoking corn silk from corn plants out behind the barn. Yes, a very, a very risque measure back in 1950 for which I paid the price from my father. Yes, I did inhale the corn silk and let me tell ya, I've never been so sick in my life. I also experimented with Red Man Chewing Tobacco many years ago. Yes, I know. Given to me by my loving

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grandfather who thought he would cure me of the habit and did not inform me that one was not supposed to swallow what you chewed. And so I can remember that day most vividly and I've never had a desire to revisit chewing tobacco since that time. So, when all is said and done, number one I trust the two Sponsors, the Sponsors of the Bill. Number two, growing up in an agricultural area, this does have the potential to be a very legitimate agricultural crop. And I would hope that you could see your way clear to voting 'aye'."

Speaker Hartke: "Seeing no one is seeking recognition, Representative Lawfer, to close."

Lawfer: "Thank you, Mr. Chairman (sic-Speaker). I have a few comments and then I would like to give the rest of my time to Representative Erwin. As we put this task force together we plan on including everybody, including agriculture, law enforcement people and anybody that might be interested in input into this endeavor. As it's been pointed out by Representative Black, this is a very, has been a very viable crop. I think the time has come for us to study this again, and whether we can improve the profitability of all of agriculture is our goal in this regard. We have in this chamber supported aquaculture, as well as, the grape and wine industry. I think it's only important that we look at industrial hemp as a very vital part of agriculture. Mr. Chairman, I'll leave the rest of the closing remarks to Representative Erwin..."

Speaker Hartke: "Representative Erwin."

Lawfer: "...whom I want, who I want to thank very much for working with this, for putting together a display yesterday of industrial hemp products. All of which, of course, were imported because it's illegal to grow industrial hemp in

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Illinois. Representative Erwin, thank you very much."

Speaker Hartke: "Representative Erwin."

Erwin: "Thank you. Just briefly, I think given the Resolution that Representative Black passed, I believe it was last week, to really look at what is going on in the Illinois agricultural economy, I really think it is absolutely incumbent upon us to be investigating other uses for our very valuable farmland. This is crop that is environmentally a good crop and I think there's great potential here to have other production right here in Illinois. So, I certainly would appreciate a favorable vote."

Speaker Hartke: "The question is, 'Shall House Resolution 168 pass?' This Resolution requires a Roll Call. For those in favor of the Resolution will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves. There are still 5 people not voting. Have all voted who wish? Mr. Clerk, take the record. On House Resolution 168, there are 78 Members voting 'yes', 35 Members voting 'no' and 1 Member voting 'present'. And the Resolution is adopted. Chair recognizes Representative Curry. For what reason do you seek recognition?"

Curry: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Curry: "I'd like the Members of the chamber to help me welcome the fourth graders from McGaughey Elementary School in Mt. Zion. They're here visiting the State Capitol and if we could give them a round of applause. Thank you."

Speaker Hartke: "Welcome to your State Capitol. Chair recognizes the Gentleman from Will, Representative Meyer. For what

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reason do you seek recognition? He's declined. Chair would like to recognize the Gentleman from Macon, Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Mitchell, B.: "I'd like to welcome to the Illinois House, my mother and my aunt. I'd like the House to give them a big welcome."

Speaker Hartke: "Welcome to the General Assembly. The Chair would like to welcome Senator Lisa Madigan to the floor and Senator Bolin (sic-Bowles). The Chair would like to recognize the most popular man in the chamber today, Representative Poe."

Poe: "It's too bad I don't have some controversial Bill to... to run today. But I, already passed. Out in the hallway, over here behind this side of the chambers, the lunch is set up. And you can go out anytime and get in line, they got two lines set up. So, it won't take you too long. They're gonna let the Members go first and then the staff right after that. Thank you."

Speaker Hartke: "Thank you, Representative Poe. Chair would like to recognize the Lady from Cook, Representative Zickus."

Zickus: "Thank you, Mr. Speaker. I would like to welcome, have you join me in a welcome to some honor students, 5 honor students from Burr Ridge Middle School, it's in my district and Representative Meyer's district. Would you please give them a hearty Springfield welcome. Thank you."

Speaker Hartke: "Welcome to the General Assembly. Lieutenant Governor Corrine Wood is furnishing the dessert today. So, if you see her you want to thank her for her contribution. It's out here on the Democrat side in the chamber. Mr.

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Clerk, an announcement."

Clerk Rossi: "The House Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Hartke: "Speaker Lang, in the Chair. Representative Hartke, in the Chair. Mr. Clerk, Committee Reports."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures were referred, action taken on May 19, 1999, reported the same back with the following recommendations: 'direct for consideration' for Amendment #4 to Senate Bill 349, Amendment #2 to Senate Bill 480, Amendment #4 to Senate Bill 556, Amendment #2 to Senate Bill 574, Amendment #2 to Senate Bill 646, Amendment #3 to Senate Bill 652, Amendment #2 to Senate Bill 659, Amendment #2 to Senate Bill 933, Amendment #3 to Senate Bill 933, Amendment #3 to Senate Bill 941, Amendment #2 to Senate Bill 962, and Amendment #1 to Senate Bill 1066. Concurrences 'direct for consideration' Senate Amendments 1 and 2 to House Bill 80, Senate Amendment #2 to House Bill 105, Senate Amendment #1 to House Bill 152, Senate Amendments 1 and 2 to House Bill 305, Senate Amendment #1 to House Bill 306, Senate Amendment #1 to House Bill 520, Senate Amendment #3 to House Bill 526, Senate Amendment #1 to House Bill 604, Senate Amendment #1 to House Bill 835, Senate Amendments 1 and 2 to House Bill 878, Senate Amendment 1 to House Bill 1061, Senate Amendments 1 and 2 to House Bill 1117, Senate Amendment #1 to House Bill 1188, Senate Amendments 1 and 2 to House Bill 1194, Senate Amendment #1 to House Bill 1232, Senate Amendment #1 to House Bill 1234, Senate Amendment #1 to House Bill 1261, Senate Amendment #1 to House Bill 1304, Senate Amendment #1

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to House Bill 1538, Senate Amendment #1 to House Bill 1695, Senate Amendments 1 and 2 to House Bill 1697, Senate Amendments 1, 2, and 3 to House Bill 1780, Senate Amendment #1 to House Bill 1805, Senate Amendment #1 to House Bill 1832, Senate Amendment #1 to House Bill 1860, Senate Amendment #1 to House Bill 1863, Senate Amendment #2 to House Bill 1869, Senate Amendment #1 to House Bill 1897, Senate Amendment #1 to House Bill 1900, Senate Amendments 1 and 2 to House Bill 2031, Senate Amendments 1 and 2 to House Bill 2038, Senate Amendments 1 and 2 to House Bill 2042, Senate Amendment #1 to House Bill 2088, Senate Amendment #1 to House Bill 2218, Senate Amendment #1 to House Bill 2205, Senate Amendments 1 and 2 to House Bill 2271, Senate Amendments 1 and 2 to House Bill 2283, Senate Amendment #1 to House Bill 2330, Senate Amendment #1 to House Bill 2355, Senate Amendment #1 to House Bill 2727, Senate Amendment #1 to House Bill 2790, Senate Amendment #1 to House Bill 2823."

Speaker Hartke: "Supplemental Calendar announcement."

Clerk Bolin: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "The Chair is prepared to go to concurrences. The Supplemental Calendar has been distributed. It is the Chair's... Chair's opinion we're going to start at the top and work through the Supplemental Calendar. The Chair recognizes the Gentleman from Kendall, Mr. Cross. For what reason do you seek recognition?"

Cross: "You know it's possible, Mr. Speaker, it got lost under the fried chicken but, we haven't seen a Supplemental Calendar. Maybe... all right, it's in the secret compartment of the fried chicken containers. And I... apologize. So, the chicken should be, have their... have their wings forfeited. Thank you."



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Speaker Hartke: "On Supplemental Calendar #1, appears House Bill 80. Representative O'Connor. Out of the record. Supplemental Calendar, appears House Bill 105. Representative Holbrook. Representative Holbrook. Representative Holbrook."

Holbrook: "One moment. Thank you, Speaker. House Bill 105 was a Bill that passed out of here unanimously to the Senate, concerning the use of assistance animals such as guide dogs, hearing dogs, those that pull wheel chairs, do that sort of thing. What the Senate did was add on an Amendment that allowed for the expansion of the definition of assistance animals, to those who assist impaired, physically impaired individuals in employment activities. It's called Employment Assistance Dogs. That has been added and also there's been a couple provisions added that allows for veterinary care, medical expense to the assistance animal to be recouped. And also, those that cause chemical damage to the assistance animals. Such as, pepper spray or something along those lines. I'd be glad to take any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in House Bill 10... Senate Amendment #2 to House Bill 105? This is final action. All those in favor will vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? There are still three people or four people who have not recorded themselves. Mr. Clerk, take the record. On this question, there are 117 members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #2 to House Bill 105. And this Bill having received a Constitutional

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Majority is hereby declared passed. On Supplemental Calendar #1 appears House Bill 305. Representative Leitch. Representative Leitch."

Leitch: "Thank you, Mr. Speaker. These Amendments put the... House Bill 305 into the same form as Senate Bill 1032. And I would ask for their concurrence."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, ' Shall the House concur in Senate Amendment #1 and 2 to House Bill 305?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 116 Members voting 'yes', 0 voting 'no' and 1 person voting 'present'. And the House does concur with Senate Amendment #1 and 2 to House Bill 305. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 80, Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker, Members of the House. I move to concur with, on House Bill 80. House Bill 80 amends the, the Merit Scholarship Act. The Act basically, the Amendment basically, is consistent with what we passed out of the House unanimously. I move for concurrence."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, ' Shall the House concur with Senate Amendment #1 and 2 to House Bill 80?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 116 Members voting 'yes', 0 voting

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'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 and 2 to House Bill 80. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 306, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. This is the Industrial Jobs Recovery Act. Senate Amendment #1 simply puts a 10 year sunset into the program. And I would urge it's concurrence."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 306?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 306. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 520, Representative Hoffman. Mr. Hoffman."

Hoffman: "Yes, House Bill 520, we would ask that we concur in the Senate Amendments. Basically, the Amendments are an agreement between the automobile dealers and the manufactures of automobiles. What it would do is remove the amendatory provisions, adding to the list of information to which the dealer is entitled to receive from the manufacturer and other things. The Senate Amendment removes the amendatory provisions requiring prefilling of franchise agreements. Basically, this is an initiative of the Illinois Automobile Dealers Association regarding the filing of franchise agreements and franchise agreements,

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generally. I ask for... I ask we concur in the Amendment."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 520?' This is final action. All those in favor will signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 520. And this Bill having received a Constitutional Majority is hereby declared passed. For what reason does Mr. Mitchell seek recognition?"

Mitchell, J.: "Thank you, Mr. Speaker. On House Resolution 306, my switch did not go off. I would like to be recorded as a 'yes'."

Speaker Hartke: "Be House Bill 306, the Journal will so reflect. Representative Black, for what reason do you seek recognition?"

Black: "Mr. Speaker, for the first time in my long and somewhat non illustrious career, I must ask the Journal to reflect that had I been paying attention, not trying to do the work of the people at my desk, not being surrounded by several Legislators asking for my advice, who then promptly ignore it, I would have voted 'yes' on House Bill 520. So, if you're here long enough all things come to pass."

Speaker Hartke: "The Journal will so reflect. House Bill 526, Representative Fritchey."

Fritchey: "Thank you, Speaker. I request that we concur with Senate Amendment 3 to House Bill 526. The Amendment adds some language at the request of the Illinois State Police. And adds some intent language at the request of the Senate

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Sponsor."

Speaker Hartke: "Is there any discussion? Chair recognizes the Gentleman from Kendall, Mr. Cross."

Cross: "Representative, will the Sponsor yield?"

Speaker Hartke: "He indicates he'll yield."

Cross: "John, it's apparently, or it's apparent from our, or it appears from our file that the Bar Association, the Illinois State Bar Association is opposed to this Bill, which I of course, causes us concern if the Bar Association's opposed to the Bill. Usually, very supportive of Republican Bills. Can you, do you know what the source of their opposition is?"

Fritchey: "Candidly Representative, that is the absolute first I've heard of this. This is an initiative of the State's Attorneys Office, and up until now we had not heard of any opposition, whatsoever."

Cross: "Well, we had their offices bugged and that's how we were able to find out."

Fritchey: "Exactly why we needed the Bill."

Cross: "No, I, and seriously I..."

Fritchey: "No, all kidding aside, I have not heard anything to that. The only change that we made from the time this Bill flew out of the House was there was intent language that was put in which was lacking before. And at the request of the State Police the... what they tried to do was avoid intentional over hears to make it that it was the interception of an electronic communication that is prohibited. So, really what they do is..."

Cross: "Are law enforcement groups as well as the prosecutors offices okay with the Amendment, John?"

Fritchey: "Absolutely, that's where it came from."

Cross: "All right and I apologize I didn't... I hear that. So,

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other than the Bar Association, you don't know of any opposition. In fact, all the law enforcement community's supportive of this."

Fritchey: "That's correct."

Cross: "All right. Well, thank you very much."

Fritchey: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #3 to House Bill 526?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #3 to House Bill 526. And this Bill having received a Constitutional Majority is hereby declared passed. On the regular Calendar, appears Senate Bill 631. House Bill 631. Representative Feigenholtz. House Bill 631."

Feigenholtz: "Thank you, Mr. Speaker. I'm rising to concur with Senate Amendment #1 to House Bill 631. We had a long debate on this Bill. Our wonderful Republican friends in the Senate took painstaking efforts and went to great lengths to help write a Bill that is much more readable. There are some modifications in the Bill, but it is now blended with current statute. The Amendment removes letters and other items. It assembles an adoption registry advisory council, which is made up of a myriad of groups involved in adoption. And it is now limited to birth parents, adoptive parents, adoptees, and siblings. And I would be glad to answer any questions."

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Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. For purposes of legislative intent, would the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Black: "Yes. Representative, I... very much appreciate the work that you have done on this. I need not belabor the fact that we both have a very personal and very emotional interest in this legislation. And with your permission, I would like to just go over some items of legislative intent."

Feigenholtz: "I'd be glad to answer any questions."

Black: "Thank you and I... do appreciate your... indulgence and your kindness. First of all, it is the legislative intent of House Bill 631 as amended, to preserve and protect family privacy. This Bill could promote adoption by protecting the confidentiality of the parties to the adoption."

Feigenholtz: "Yes."

Black: "Further, it's the legislative intent to create an unbiased, objective mechanism, whereby parties to an adoption may voluntarily go to the Department of Public Health to release and/or exchange vital medical information and/or identifying information. The parties to the adoption may also make a statement naming the person or persons to whom they wish to release information. They may also name the person or persons to whom they do not wish to release information. Participation in the registry will be strictly voluntary."

Feigenholtz: "That is correct."

Black: "Further, legislative intent will acknowledge that the voluntary nature of this legislation, is to respect the

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judgement of the adoption parties, in their choices and decisions, as to participation or nonparticipation in the registry."

Feigenholtz: "That is correct."

Black: "It will further require the Department of Public Health and its employees to maintain the registry in a confidential manner."

Feigenholtz: "Yes. That is correct."

Black: "Further, intent is to publicize the existence of the registry to the extent that appropriations will allow. This public... this publicizing will help to ensure that adoption parties are aware that the registry exists."

Feigenholtz: "Yes."

Black: "Finally, it is the legislative intent of House Bill 631 as amended, to create a mechanism by which the effectiveness and efficiency of the registry can be evaluated. There is language that creates an advisory panel to the Department of Public Health. This panel will consist of persons from organizations representing parties to the adoption, adoption agencies, attorneys from the various bar associations, the Illinois Medical Society, and DCFS. The purpose of this advisory panel is to make recommendations regarding procedures, tools, and technology that will ensure the efficient and effective operation of the registry."

Feigenholtz: "That's correct, Representative Black."

Black: "Thank you very much, Representative. And further it is not your intent, nor the legislative intent of this Bill, to usurp at any time, the choices and decisions made by a party to the adoption."

Feigenholtz: "That is correct."

Black: "It further is not the legislative intent to allow any



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person not eligible to register to submit information or documentation to the registry."

Feigenholtz: "I'm sorry. Could you please repeat that question?"

Black: "Yes. It is not the legislative intent of House Bill 631 to allow any person not eligible to register to submit information or documentation to the registry."

Feigenholtz: "That is correct."

Black: "And last, but by no means least, it is not the legislative intent to usurp nationally required best practiced standards and adoption services established by the Council of Accreditation and the Child Welfare League of America of Adoption Agencies. This includes the confidential, intermediary, and post-adoption services which are provided by said agencies. Any requests submitted to the registry by a party to the adoption will be respected by any confidential, intermediary, or agency professional."

Feigenholtz: "That is correct, Representative."

Black: "Thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "As an adoptive parent, I appreciate the work that Representative Feigenholtz has done on this Bill. I think the Amendments helped to clarify some of the concerns, that some of us had. And I think with her willingness to read into the record legislative intent, this is a reasonable Bill, that still protects those people who wish to remain confidential, but will also allow, in case of medical emergency, the ability to access medical records that under current law can sometimes not be made available. I again, commend the Representative for her willingness to work with all sides of this issue. And I stand in favor of the Bill

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as amended."

Speaker Hartke: "The Chair recognizes the Lady from Cook, Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker, Members of the House. Would the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Wojcik: "Representative, I think you know the situation in a district that I represent and the family that I represent. Would their opposition now be removed?"

Feigenholtz: "They're... now neutral on this Bill, Kay."

Wojcik: "They're neutral. Okay. Thank you."

Feigenholtz: "And they're also in this Bill and on the advisory council."

Speaker Hartke: "Seeing that no one else is seeking recognition, Representative Feigenholtz to close."

Feigenholtz: "Ladies and Gentlemen of the House, we've been debating this issue around the General Assembly for about three years now. Nothing would make me happier and adopted persons in the State of Illinois and their families, who could really use this registry to improve their quality of life, the opportunity to send this Bill to the Governor's desk. Thank you very much and I encourage an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 631?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 Members voting 'yes', 1 person voting 'no', 1 person voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 631. And this Bill having received a Constitutional Majority is hereby declared passed. For what reason does

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the Gentleman from Cook, Representative Lyons seek recognition?"

Lyons, J.: "Mr. Speaker, I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Lyons, J.: "Ladies and Gentlemen of the House, I'd like to welcome one of my oldest friends from the neighborhood, the four term Alderman from the 45th Ward in Chicago, Alderman Pat Lavar."

Speaker Hartke: "Welcome to the General Assembly, Alderman. Page 9 of the Calendar, regular Calendar appears Senate Bill 1066. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "Senate Bill 1066 is on the Order of Senate Bills - Second Reading and has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Barbara Currie, has been approved for consideration."

Speaker Hartke: "Representative Lang in the Chair."

Speaker Lang: "Representative Currie on Senate Bill 1066."

Currie: "Thank you, Speaker. This is a technical Amendment to the Bill, makes the Bill a shell, so that this can be used as one of the Bills that will implement Governor Ryan's Illinois First Program. I'd appreciate your support."

Speaker Lang: "Is there any discussion? Seeing none, Representative Currie moves for the adoption of Floor Amendment #1. Those in favor shall say 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Floor Amendment #1 is adopted. Mr. Clerk."

Clerk Rossi: "No further Amendments."

Speaker Lang: "Third Reading. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1066, a Bill for an Act concerning military memorials. Third Reading of this Senate Bill."

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Speaker Lang: "Representative Holbrook, defers to Representative Currie. Representative Currie."

Currie: "Thank you, Speaker. This is a measure that is in shell form at the moment. It will be used to implement the Governor's Illinois First Program. I'd appreciate your support."

Speaker Lang: "Lady moves for the passage of Senate Bill 1066. And on that question, are there, is there any discussion? Seeing none, all those in favor shall signify by voting 'aye'; those opposed voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Several Members not voting. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 70 voting 'yes', 40 voting 'no' and 6 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. Mr. Clerk, returning to the Order of Concurrence, there appears House Bill 835. Representative Meyer. Mr. Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate... I move to concur in Senate Amendment #1. Senate Amendment 1 excludes the City of Chicago from the Bill. Originally, this Bill passed, there was questions whether Chicago was to be included or not at that time. Working through the Illinois Municipal League, it was our understanding that they were in agreement to be included. Later, they approached the Senate asking to be excluded from it. Everyone is in agreement with it. I certainly don't have a problem in conjunction with the underlying Bill if they are excluded. I'd just appreciate a 'yes' vote."

Speaker Lang: "Gentleman moves for concurrence in Senate Amendment #1 to House Bill 835. And on that question, is

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there any discussion? Seeing none, those in favor shall signify by voting 'yes'; those opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 112 voting 'yes' and 5 voting 'no'. And this Bill... and this Bill having received the Constitutional Majority, is hereby declared passed. Next on the Order of Concurrence appears House Bill 878. Representative Hoffman. Mr. Hoffman."

Hoffman: "Thank you. I move that we concur with Senate Amendments #1 and 2. What this is is the initiative that came out of the House task force on school safety. As you know, it began as a ten-point program to address the issues of school safety. What we have done, the First Amendment, Senate Amendment #1, ensured that all the provisions were consistent with the provisions that have been out there concerning the Attorney General's Office. It was, essentially, an agreement with the Attorney General's Office in order to have similar, make sure that the writing of the legislation is similar. The second Amendment is an initiative of the Senate, that... regarding single subject matter. And what it did is it essentially, took out the criminal provisions of this... of this so as we didn't have any sing... any single subject matter problems. The criminal provisions are currently working their way through the legislative process on various Bills that have been put forward by the Attorney General's Office. So, essentially, this is an initiative and the Amendments are an initiative that are in compliance with the Attorney General's Office and take away any single subject matter concerns. I ask for concurrence."

Speaker Lang: "Chair recognizes Representative Black."

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Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "The Gentleman will yield."

Black: "Representative, Senate Amendment #2 strikes something that I... think you favor, basically, and that's the Safe to Learn Grant Program. Is... do we have that... is that able to survive in some other legislation?"

Hoffman: "Yes. The reason we did Senate Amendment #2 is there was a concern about the single subject matter. Everything that was stricken with regard to Senate Amendment #2 is contained in other legislation that is making its way either through the process or already on the Governor's desk."

Black: "Okay, fine. I just wanted to make sure..."

Hoffman: "I would have like to have kept it in there, to be very frank with you, but some of the Senators were concerned about the single subject matter issue. So, we're just doing a variety of Bills in order to do the same thing."

Black\$: "Yes, well, that single subject issue seems to have gotten our attention here lately, hasn't it?"

Hoffman: "Yes, and I think in order, I... agreed to it because I don't think we want any of this to be unconstitutional. It's too important."

Black: "Okay, fine, thank you very much."

Hoffman: "Thank you."

Speaker Lang: "Seeing no further discussion, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 878?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 117 voting 'yes'

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and 0 voting 'no'. And the House does concur in Senate Amendments #1 and 2 to House Bill 878. And this Bill having received the Constitutional Majority is hereby declared passed. On the Order of Concurrence appears House Bill 1061, Representative Cross. Mr. Cross."

Cross: "I'd like to pass on this right now, Mr. Speaker."

Speaker Lang: "This Bill will be taken out of the record. Next is House Bill 1117, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 1117 makes some technical changes to the Local Government Debt Reform Act. Senate Amendment 1 changes the useful life of referendums from 10 years to 5 years. And Senate Amendment #2 was added just to make sure that none of this legislation would in itself validate a referendum if it, any other manner would be invalid. And I would ask the House to concur in Senate Amendments #1 and 2."

Speaker Lang: "You heard the Gentleman's Motion. Is there discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 1117?' This is final action. All those in favor shall vote 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 105 voting 'yes' and 12 voting 'no'. And the House does concur in Senate Amendments #1 and 2 to House Bill 1117. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1188, Representative Myers. Mr. Myers. Out of the record. House Bill 1194, Representative Bill Mitchell. Mr. Mitchell."

Mitchell, B.: "Thank you, thank you, Mr. Speaker. I... concurrence to House Bill 1194, the Senate Amendment to 1194 was drafted at the request of the Cook County Public

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Defenders Office. They had an objection to the Bill because it provided in Section 407-B that if a minor is charged with unlawful use of a weapon on school grounds, a finding of probable cause at an initial detention hearing would operate as a determination of immediate and urgent necessity requiring the min... minor to be detained, pending trial. And this is Senate Amendment #1 and 2."

Speaker Lang: "You heard the Gentleman's Motion. On that question, the Chair recognizes Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Black: "Yes, Representative, perhaps you gave an explanation and I missed it, but what basically, does Senate Amendments #1 and 2 do the underlying Bill?"

Mitchell, B.: "Yes, Mr. Black, I did mention that. It had an objection to the Bill because it provided in Section 407-B that if a minor is charged with an unlawful use of a weapon on school grounds, a finding of probable cause at initial detention hearing would operate as a determination of immediate and urgent necessity. This most recent Amendment provides that once the finding of probable cause is made that immediate and urgent necessity shall be presumed and that the burden of demonstrating the lack of immediate and urgent necessity shall be on any party opposing detention. The practical effect of this Amendment for those minors charged with a UUW on school grounds, once probable cause is shown that they will be detained pending an evaluation unless a party opposing detention can establish some reason why the min... minor should be released. The burden of proving immediate and urgent necessity would no longer be on the state. It's very clear."



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Black: "If we, can boil it down to 'good ole country English,' in Senate Amendment #1, it requires school personnel who see, if I understand this, if a teacher or a custodian or a staff person sees a person with a firearm on school property they have to notify the principal."

Mitchell, B.: "That's correct."

Black: "All right. Why do they have to notify the principal? Why can't they just call 9-1-1? Why the delay?"

Mitchell, B.: "They're allowed to do both, but they're required..."

Black: "They can do both, all right."

Mitchell, B.: "That is correct."

Black: "Does the, there is a limited liability... immunity in the Bill. Is the immunity from liability for good faith only apply to the principal or does it apply to any person who... who would report a... a weapon on school property?"

Mitchell, B.: "Representative, it applies to both."

Black: "So, it would apply to both?"

Mitchell, B.: "That's correct."

Black: "All right."

Mitchell, B.: "There's two separate limited liabilities Section in there, one for each."

Black: "Okay. I notice in the analysis it says, 'the Amendment cleans up the procedure by having only the principal be responsible for contacting the local law enforcement agency'. But, that does not preclude, you know some schools are spread out over a rather large number of square feet. I don't want to preclude a teacher, say in the gymnasium who might be 1800 feet from the principal's office, to making an immediate call to the authorities if he happens to witness a gun in a physical education class, for example. And I just want to make sure we're not

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limiting this to that the only person who can actually, because of the language here in the analysis, it leaves it up to the principal. The responsible party then would be the principal for contacting local law enforcement agency. And I want to make sure that if I'm a teacher, as I used to be 30 some years ago, I would not be precluded from dialing 9-1-1, thinking that I may not have time to go to the principal's office or in the case of a, any classroom teacher can tell ya, I can't leave my students and go to the principal's office. Then I'm at risk from liability if I leave my class unsupervised. So, surely, there isn't anything in this that can be construed that if I call 9-1-1, on a cellular phone or a phone in my office, I will not be subject to some liability provision because I was supposed to notify the principal."

Mitchell, B.: "Representative, it doesn't preclude a school official other than a principal."

Black: "Okay."

Mitchell, B.: "What it does, it mandates that the principal is required."

Black: "All right, and I can understand that because I have heard tales where schools, for whatever the reason, do on occasion like to keep these things internally and handle them internally and I think there comes a point when you can't do that. And I think that's what the Amendment addresses then, obviously."

Mitchell, B.: "That's correct."

Black: "Thank you. I appreciate your indulgence and your forthright answers and also, appreciate your staffer for doing an outstanding job."

Mitchell, B.: "Thank you, Representative."

Black: "Thank you."

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Speaker Lang: "Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Lang: "The Gentleman yields."

Hoffman: "Yes, Representative, the underlying Bill, I know we supported overwhelmingly, I believe, and it passed overwhelmingly 113 to 1. Now..."

Mitchell, B.: "That's correct."

Hoffman: "... as Representative Black indicated, doesn't this really weaken the underlying Bill with Senate Amendment #1, by only requiring that the school personnel notify the office of the principal as opposed to also notifying law enforcement?"

Mitchell, B.: "It's my understanding, Representative, that certain associations were concerned that they were, had some liability. And that... so, this is why they offered this Amendment."

Hoffman: "Right, but, I'm not talking about the immunity issues. What I'm talking about is the notification issues. I agree with the immunity from civil and criminal liability, if there is good faith compliance. I think that makes sense. My point is, we're talking about a gun in school here, a person with a gun in school. It seemed to me, that, it doesn't take a rocket scientist to understand that one of the first things we should do is notify law enforcement for assistance."

Mitchell, B.: "Representative, as I mentioned to Representative Black, that this doesn't preclude another person from reporting to the police, it just mandates it for a principal."

Hoffman: "But, didn't the underlying Bill, Representative, the underlying Bill mandated that you contact local law enforcement? Isn't that right?"

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Mitchell, B.: "That's correct."

Hoffman: "I guess my concern is, I agree with the other parts of these Amendments. My concern is, 'why don't we want to continue to mandate this? We're talking about a person who has a gun in school. It would seem to me the whole idea here is, first of all, make sure that the situation is as safe as possible. And the main way to do that is to call local law enforcement."

Mitchell, B.: "This was a compromise, apparently."

Hoffman: "Well, some things you just don't compromise on. Okay? When we talk about safety in our schools or we talk about school safety, it would seem to me making sure that law enforcement is involved is something that is uncompromisable, that making sure that law enforcement comes and responds is something that is uncompromisable. Now, you may want to pass a Bill and I agree with that, but we had 113 votes. If we want to set, if you want to stand on principle, it would seem to me, and you don't want to compromise on this issue, you would nonconcur and we'll get it... get it a Conference Committee, take out that portion of it, which I find is wrong. And then ensure that a... the... ensure that the remainder of the stuff, as far as immunity, and the other things I think are good are still in the Bill."

Mitchell, B.: "Is there a question, Representative?"

Hoffman: "I guess, I guess the question is, why are you willing to accept that... this compromise? I mean what is, what is your personal feelings with regard to this?"

Mitchell, B.: "Representative, the Attorney General has asked me to concur with this."

Hoffman: "Well is... is there a compromise from the..."

Mitchell, B.: "This is the Attorney General's Bill."

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Hoffman: "Oh, this is the Attorney General's part of the safe schools?"

Mitchell, B.: "That's correct."

Hoffman: "Well, I'm in support of the safe schools provisions."

Mitchell, B.: "And this is the Attorney General's Bill."

Hoffman: "Was this the Attorney General's, not the Attorney, but the Attorney General's Offices' idea for the Senate Amendment #1 with regard to the notification?"

Mitchell, B.: "The Attorney General has, would like this, the House to concur."

Hoffman: "I understand that. I know that you already said that they want you to concur. But, is it their, was this their idea to put forward the taking out the notification of law enforcement officials?"

Mitchell, B.: "The Attorney General didn't propose the Amendment, but this was an agreement worked out between all the parties."

Hoffman: "Well... I... I'm sorry, Representative, I'm not trying to be facetious. I really want to find out where it came from because I worked with the Attorney General's Office on the 'Safe School' legislation. Okay? I 've worked with them on some of the provisions we had. I've worked with them with some of them that they had. And I supported your initial Bill, I think it was a great Bill I think this is, I guess, a not so bad Bill, but it could be better. And I think if we're gonna pass something, that we should ...we should ensure that there is teeth in it that's really gonna make school safer. Not just pass the Bill because it's a compromise. So, what I'm trying to figure out is, 'Where did it come from, why are we capitulating so easily?' When I think we could maybe still get what we want with regard to immunities and other things and require notification of

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law enforcement personnel?"

Mitchell, B.: "Representative, I appreciate your comments, but the Attorney General's Office wishes us... the House to concur."

Hoffman: "But do they wish us to concur, are they in favor of Senate Amendment #1?"

Mitchell, B.: "It's my understanding. That is correct."

Hoffman: "All right, well, it's, this is a very difficult issue. An issue that I think that, number one, we probably are sitting in a situation from a political stand point that we probably have to vote to accept the Senate Amendments #1 and 2. And the reason is, is that the Motion is a Concurrence Motion brought by this Representative. If you don't vote for the Concurrence Motion, well then, you have a problem politically explaining why you're not for ensuring we got, don't have guns in school. And I understand all that. I just wish that we could make this stronger. I wish that we could pass the original Bill with some immunity provisions and with Senate Amendment #2. Some of the problems that I have with Senate Amendment #1, is I think you're weakening it to such an extent, that you have to go through channels before you even get a law enforcement officer to the school to try and rectify the situation. Representative, I understand the position you're put in. I understand the position the Attorney General's Office is put in. I just wish we would, you would stand up and say that we're gonna nonconcur and I think we can work with the Attorney General's Office in order to... in order to rectify the situation. As it stands, if you're gonna proceed with the Concurrence Motion the way it is, I guess we'll support it. I just hope we come back and do the right thing and do what's... proper,

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and that's your original legislation."

Mitchell, B.: "Representative, I do appreciate your comments.

This is a good Bill. This keeps guns out of school and out of school property. And I hope the House would concur."

Speaker Lang: "Chair recognizes Representative Harris."

Harris: "Will... the Representative yield?"

Speaker Lang: "Gentleman yields."

Harris: "Representative, I have one question here. What's the process now? What do they do now? Just for instance, if someone would go to the school tomorrow, before this Bill is passed. What's the process, now? What's the procedure?"

Mitchell, B.: "Representative, there's no state standard. It's a precedent set by the district."

Harris: "Well, do you know the district's standing? Whatever... It all depends on that particular district? Is that what you're saying?"

Mitchell, B.: "Each district sets their own standard, at present."

Harris: "Okay, thank you."

Mitchell, B.: "Thank you, Representative."

Speaker Lang: "There being no further discussion, Representative Mitchell to close."

Mitchell, B.: "I move to close."

Speaker Lang: "Do you wish to close, Representative?"

Mitchell, B.: "I move to close."

Speaker Lang: "Gentleman moves that the House concur in Senate Amendments #1 and 2 to House Bill 1194. This is final action. Those in favor shall vote 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 116 voting 'yes' and 1 voting 'no'. The House does concur in Senate Amendments #1

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and 2 to House Bill 1194. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1232, Representative Hamos."

Hamos: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1 to House Bill 1232. This is the Child Support Pays Program that we passed earlier, that will allow TANF recipients who work, to keep two-thirds of the child support collected on behalf of their children. The only change between the original Bill and Senate Amendment #1 is that the Senate asked us to evaluate the program by December 31st, 2003. That evaluation mechanism will allow us to determine how successful we are in actually getting more noncustodial parents to pay child support and in getting higher collection rates all the way around. And I move do... I move that we concur in Senate Amendment #1."

Speaker Lang: "You heard the Lady's Motion. The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Black: "Mr. Speaker, could we have a little order in the chamber? This is not a... an insignificant Bill, believe me."

Speaker Lang: "The Gentleman makes a good point. Can we quiet the chamber down just a little so that Mr. Black can ask his questions on a very important piece of legislation. Thank you very much. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I appreciate that. Representative, your Bill, with the Senate Amendment, is requiring that TANF recipients get two-thirds of all child support collected on their behalf. Correct?"

Hamos: "Only those TANF recipients who... recipients who also work."



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Black: "All right. How do we square this with the Federal Law that says 50% of all child support collected for TANF recipients be returned to them to repay public assistance they may have drawn?"

Hamos: "Well, Mr. Black, last.... we.... I've said this before, let me go through these numbers again. Last year, on behalf of children who are children of TANF recipients, the state collected \$88,000,000. We have to return to the Federal Government \$44,000,000 of that. That leaves the state \$44,000,000. We, up till now, have given the children about \$9,000,000. That still leaves \$35,000,000. Of that \$35,000,000 that the state gets to keep on behalf of children of TANF, this program, the Bureau of Budget estimates will cost \$6,000,000. So the state will still make a profit off of these families to support the child support bureaucracy."

Black: "You are aware that the Department of Human Services does not agree with your math. Would that be a fair assumption?"

Hamos: "No, I'm sorry. That... I think the math is not in dispute, they just don't want to spend the \$6,000,000 to return the child support to the children on whose behalf it's collected."

Black: "All right. Well, thank you, Representative. Mr. Speaker, to the Motion to Concur."

Speaker Hartke: "Representative Hartke in the Chair. To the Motion."

Black: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, let's just take a scenario that the Department of Human Services has drawn up. Let's say that there is a \$400 child support collection. Now under this Bill, 50% of that \$400 must be returned to the Federal

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Government. That's Federal Law. But under.... Excuse me. Under this Bill 66% is paid to the client. Now you add that up and I know that math in Springfield might be a little different than the math I learned back in Danville, but that adds up to \$464 and you only collected \$400. So the taxpayers of the state will make up \$64 difference. It's... estimated the Bureau of the Budget, not the Department of Human Services, but the Bureau of the Budget, estimates the cost of this, conservatively, to be \$8,000,000. Estimates range much higher than that. It depends on what figure you want to believe. I'm using the most conservative estimate that was prepared, would be a yearly cost of \$8,000,000. I am not opposed to the concept of this Bill, but in the next 48 or 72 hours there's going to be a number of votes on a great deal of money. And... and if you're going to do what we're going to do in the future, then you'd better be very careful of the money you're going to spend today, because that might not be here after you make the vote tomorrow. All I'm telling you, is that this Bill does require a cash outlay by the taxpayers of Illinois and I would think the average taxpayer would tell you that's not what they thought they would get under welfare reform. So, I rise in reluctant... in reluctant opposition to the Representative's Motion to Concur. Somebody has to pay the difference. You and I know who that difference, or who's going to pay that difference, and until I see the final budget figures I'm not prepared to vote for this at this time and that's why I intend to vote 'no'."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Scully. Representative Scully. He declines. The Chair recognizes the Gentle...

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Lady from Cook, Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. I rise in support of this Senate Amendment and agree that we should concur. I recognize that we have problems in the Child Support Enforcement System, but I also recognize that this is a dramatic change in policy, that we will be getting more money to the children who really need it. There are systemic changes that we're working on as far as child support is concerned, but this Amendment actually helps in that regard, in that it calls for accountability and I would urge an 'aye' vote."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Hamos to close."

Hamos: "I would like to close by reviewing what this is really about. What this Bill is, is not asking the taxpayers to support these children. There are lots of good Bills around that I support regularly, that support good programs and support family programs. This is not that kind of Bill. This Bill returns the children's money to the families of those... with those children. This is not the taxpayers money, this is the children's money. Under the law that we've had in effect for the past 20 years, we are returning only 10¢ on the dollar to the children whose families are on TANF. Now, we have seri... seriously limited this program under this Bill, by... applying it only to those families who are working, and therefore, trying to become self-sufficient. In an era of welfare reform it is tremendously important for us to help these families get on their own two feet and out... the door and off of TANF. That's what this Bill is trying to do. The advocates also believe that there will be more noncustodial parents participating in this program because they will

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know that the child support that they send to the state, more of it, will be going directly to help their children. That is why this is an important program. We passed it 105 to 10 the first go-around and I seek your favorable support."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1232?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 103 Members voting 'yes', 13 Members voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1232. And this Bill, having received a Constitutional Majority is hereby declared passed. House Bill 1234, Representative Lang."

Lang: "Thank you, Mr. Speaker. I move that the House concur in Senate Amendment #1 to House Bill 1234. This is what's affectionately know as the 'Beer' Bill. This Bill passed the House with substantial support. When it went to the Senate it kicked the negotiations in and Senate Amendment #1 is an Agreed Amendment between all those that were debating over the 'Beer' Bill, originally. So, it passed the Senate unanimously and I would ask concurrence."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1234?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there were 112 Members voting 'yes', 2 people

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voting 'no' and 2 voting 'present', and the House does concur with Senate Amendment #1 to House Bill 1234. And this Bill, having received a Constitutional Majority is hereby declared passed. House Bill 1188, Representative Myers. Representative Myers."

Myers: "Thank you, Mr. Speaker. Senate Amendment #1 to House Bill 1188 just basically adds to the Bill by saying that this Bill is subject to appropriations for the purposes of this Act, and the Attorney General shall administer the program, subject to those appropriations."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1188?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present', and the House does concur with Senate Amendment #1 to House Bill 1188. And this Bill, having received a Constitutional Majority is hereby declared passed. House Bill 1261, Representative Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. Senate Amendment #1 was considered a technical Amendment in Senate. It further defines the method of valuation in determining the assessment on low-income housing projects that the underlying Bill addresses. I know of no opposition to the Bill or to this Amendment and I would move for concurrence."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1261?' This

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is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 114 Members voting 'yes', 0 voting 'no' and 1 person voting 'present'. And this Bill... and the House does concur with Senate Amendment #1 to House Bill 1261. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 1304, Representative Durkin."

Durkin: "Thank you, Mr. Speaker. I ask that we concur with Senate Amendment 1 to House Bill 1304. House Bill 1304 is an initiative of the Attorney General Office, which states that the time spent appealing the enforcement or quashing of a grand jury subpoena takes that time out of the statute of limitations. We've amended the Bill to exclude the prosecution from it. This is an Agreed Bill with the Attorney General and also with the Senate. I believe it's a reasonable Bill at this point, and I would ask for the concurrence at this time."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1304?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 117 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1304. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1538, Representative McGuire."

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McGuire: "Thank you, Mr. Speaker. I do intend to concur with Senate Amendment #1 and I would ask the Body to do so, and I will try to answer questions if you have any. Thank you very much."

Speaker Hartke: "Would you like to explain the Amendment, please?"

McGuire: "Okay. The Amendment #1 to House Bill 1538 declares that when making an initial determination or any redetermination for eligibility for community care services, the Department on Aging must make an assessment whether the applicant or recipient of community care services is in need of an Emergency Response System. So that is the Senate Amendment #1."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1538?' Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. If I might, to the Motion to Concur."

Speaker Hartke: "To the Motion."

Black: "And I... I've been here long enough to know when I swim upstream and I'm too old and I'm too tired to swim very far, very long. I voted against this Bill in its original form. The Senate Amendment doesn't improve it. You're requiring taxpayers to fund these Emergency Response Units. You've all seen the ad, 'Help, I've fallen and I can't get up.' You push the button on a necklace you wear and viola, Batman or somebody shows up to save you. In real Illinois, in rural Illinois, it doesn't work that way. You're creating another program that isn't funded, that does not work equitably in all parts of the state. If you want... If you want to do something about Emergency Response

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Systems that you've seen advertised on TV, I could support an appropriation to make sure that the elderly, the aged, and the infirmed have a lifesaver telephone service. These emergency medallions or buttons that you push, in rural Illinois nobody's going to show up cause there's nobody to answer the call. So, it's fine. I guess it's a 'feel good' Bill and it makes a good press release, but in reality, it isn't going to work but you're going to spend a lot of money trying to make it work. And if I'm the only 'no' vote, I'm comfortable in that vote."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, Representative McGuire to close."

McGuire: "Thank you, Mr. Speaker. I really think Representative Black stated his position very well, as he did on the original Bill in the House, but I still think he's mistaken. This Bill does not require the state to pay for these systems. This Bill requires the Department of Aging to make the applicant aware in the assessment process of the need for the system. The system is not paid for by the State of Illinois. It's an assessment need process. Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1538?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there were 116 Members voting 'yes' and 1 person voting 'no', 0 voting 'present'. And this Bill having... And the House does concur with Senate Amendment #1 to House Bill 1538. And this Bill having received a Constitutional



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Majority is hereby declared passed. The Chair recognizes the Gentleman from Cook, Representative Dart. For what reason do you seek recognition?"

Dart: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Dart: "I wish the Body would help me in welcoming the folks from Roseland Community Hospital from out in my district."

Speaker Hartke: "Welcome to Springfield. House Bill 1697, Representative Parke. Representative Parke."

Parke: "Thank you, Mr. Speaker. I wish to concur with Senate Amendment 1 and 2 to House Bill 1697. Senate Amendment 1 includes the language and this Amendment clarifies that if a check is not honored or a credit card charge is rejected, due to the fault of the financial institution, the policyholder will not be held responsible. This language is added at the request of the Professional Independent Insurance Agents of Illinois. Amendment 2, this Amendment is added to clarify that renewal policies are not included in the language of the original Bill. I stand ready to answer any questions. If there are none, I would ask the House to concur in Senate Amendments 1 and 2 to House Bill 1697."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 1697?' This is final action. All those in favor will vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate

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Amendment #1 and 2 to House Bill 1697. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1780, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. I make a Motion to concur with House... on House Bill 1780, Senate Amendments #1, 2, and 3. If you remember, House Bill 1780 was our Credentialing Bill which streamlined the process in which physicians would be Credentialed to participate in certain health plans. We sent it over to the Senate. They sat down with the HMO's and the health insurance companies and worked out an agreement and Senate Amendments #1, 2, and 3 are pursuant to those agreements, and I would ask that the House concur with Senate Amendments #1, 2, and 3 to House Bill 1780. Thank you."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1, 2 and 3 to House Bill 1780?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk.... There are still four people that have not recorded themselves. Mr. Clerk, take the record. On this question, there were 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendments #1, 2, and 3 to House Bill 1780. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1695, Representative Novak. Representative Novak."

Novak: "Yes. Thank you, Mr. Speaker. I move that we concur in Senate Amendment #1 to House Bill 1695. Senate Amendment #1 simply... clarifies a provision in the Bill that we sent

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over from the House. And it says that this fee for additional property tax bills shall apply only to mortgage lenders. So, if your neighbor goes down to the County Treasurer's Office and asks for a duplicate bill, it's up to the County Treasurer what they... if they want to give that person a... another copy of the tax bill, they can. Mortgage lenders escrow millions and millions of dollars in taxes, so they have to... sometimes, they go to the Treasurer's Office and ask for 2 or 3 hundred extra copies of tax bills. So, this is an undue financial burden on county government. Counties should allow to have the opportunity to charge a modest fee, to the mortgage lenders only, for duplicate tax bills. And that's all this Amendment does. And I simply ask my colleagues to concur in Senate Amendment #1 to House Bill 1695."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1695?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 73 Members voting 'yes', 44 Members voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1695. And this Bill having received a Constitutional Majority is hereby declared passed. Representative Lang, for what reason do you seek recognition?"

Lang: "Thank you, Mr. Speaker. On the Concurrence Motion on House Bill 1780, I would like the record to reflect that had I been at my chair I would have voted 'aye'."

Speaker Hartke: "The record will so reflect. House Bill 1805,

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Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. House Bill 1805 was the Auctioneer Licensure Act and I move to concur with Senate Amendment #1. What this Senate Amendment, and this passed out of the Senate 58 to 0, as amended. The changes that the Senate made were rather technical. They wanted to put in there that anyone under 18 could sell an item less than \$250 if they were under the direct supervision of a licensed auctioneer. It also clarified with the livestock auction house or barn that because they're already registered with the Federal Government and the Illinois Department of Agriculture, that an auctioneer... an auction house or barn would not have to be licensed as a firm, but simply the auctioneers would be licensed. And it also added the definition of auction. It says, it shall include the sale or lease of property via mail, telecommunications or the internet. Those were some technical changes that they made. Be happy to answer any questions. I... a.... Mr. Speaker, I know this is my fourth term and for the first time Representative Black missed a vote today and I hope he's paying attention. I've heard he's had some experience at auctioneering. I don't if that's true but I'd heard that he had."

Speaker Hartke: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. My name was used in debate. Well, all right now, we've got eight, eight, eight, House Bill 1805. Do I hear 45 votes? Going once. Forty-five, fifty-five, Forty-nine, fifty. I've got 56 votes. Who'll give me 60? I need 60 votes. Sold. There's 60 votes. Ho!"

Speaker Hartke: "Thank you, Representative Black. Mr. Moffitt to

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close."

Moffitt: "The sale is closed and ask your 'aye' vote to confirm that sale."

Speaker Hartke: "The question is, 'Shall the House concur on Senate Amendment #1 to House Bill 1805?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk.... There's still four people not recording themselves. Mr. Clerk, take the record. On this question there are 115 Members voting 'yes', 1 person voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1805. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1832, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I would move to concur with Senate Amendment #1 to House Bill 1832. Senate Amendment #1 narrows the scope of the legislation so that the... so that the Comprehensive Tobacco Use Cessation Program, that includes purchasing prescription drugs or prescription medical devices approved by the FDA, shall be covered under a medical assistance program of the Department of Public Aid. I would be glad to respond to any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Harris."

Harris: "Mr. Speaker, will the Representative yield on the..."

Speaker Hartke: "He'll yield."

Harris: "Representative, why was the Department of... Illinois Department of Public Aid opposed to this?"

Stephens: "I imagine that they have concerns about the cost of the program. However, I believe that... that concern

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really is shortsighted. It is my belief that funding of these programs will, indeed, reduce the cost of medical care for the medically indigent that are on public aid rolls. So I think that long-term, this is a money saver. Their concern is fiscal over the short haul."

Harris: "Thank you, Representative."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1832?' This is final action. All those in favor signify by voting 'yes'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there were 114 Members voting 'yes', 1 person voting 'no' and 1 person voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1832. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 186.... For what reason does the Gent... the Lady from Cook, Representative Coulson, seek recognition?"

Coulson: "I would like to say that I voted 'present' on House Bill 1832 to avoid any appearance of a conflict. Thank you."

Speaker Hartke: "The record will reflect. The Gentleman from Cook, Representative Kenner."

Kenner: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Kenner: "We've been joined this afternoon by a group of students from Lakeview Preparatory High School from Chicago, and also their patient and lovely Principal, Miss Sharon Latiker. If we could give them a big capital city

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welcome."

Speaker Hartke: "Welcome to Springfield. I'm sorry.  
Representative Klingler."

Klingler: "Thank you, Mr. Speaker. The Amendment to 1860 simply clarifies the amount of time that a certified shorthand reporter must retain records. The Amendment clarifies that they must be maintained for five years from the end of litigation. The original Bill had it five years from the time they were taken and I would ask for an 'aye' vote to concur."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Black: "Representative, does this only cover actual shorthand as we used to know it years ago, or does this cover those people who do the transcription by machine?"

Klingler: "Representative, this is referring to those who take the stenographic notes for the court proceedings."

Black: "Okay."

Klingler: "Originally, the Shorthand Reporters Act made it a requirement for discipline if they failed to retain the notes, but it didn't say how long to retain them. So we put in, in the original Bill, that they had to be retained five years from when taken. The Amendment makes it that they must retain them five years from the end of litigation."

Black: "Is... is the underlying language clear that this only affects court transcription officers? Officers is the wrong word. In other words, those people who do transcription in courts of law. I'm just wondering if it

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could be construed to cover someone who does that in a private law firm, for example; taking depositions or..."

Klingler: "This is under the Illinois Certified Shorthand Reporters Act..."

Black: "Okay."

Klingler: "... and I believe that because of the Act that it's under, what it refers to, that it's clear that it..."

Black: "Okay."

Klingler: "... applies to legal proceedings."

Black: "All right. Well, I intend to vote 'aye' for the shorthand people."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1860?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 117 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill having received... and the House does concur with Senate Amendment #1 to House Bill 1860. And this Bill, having received a Constitutional Majority is hereby declared passed. House Bill 1863, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 1863, Senate Amendment 1, is a product of discussions between the Senate Sponsor, myself, and the people that were affected at Chester Mental Health Center, and with the Guardianship (sic-guardianship) and Advocacy Commission. It allows the Chester Mental Health Center to authorize the use of temporary, or temporary use of handcuffs, not to exceed ten minutes to transport patients to and from their unit in



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case... in case it's needed. This happens probably two or three times a month. As I said, we have reached agreement with the Illinois Guardianship (sic-Guardianship) and Advocacy Commission. It will also allow them to come in and peruse the records and examine and copy them, if needed, and check on the people that are in that institution."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Indicates he will."

Black: "Representative, is the Chester Mental Health Facility coeducational? Are there men and women there?"

Reitz: "I think.... It's just men."

Black: "Okay. That's.... I just wanted to make sure we weren't going to run into a problem with using restraints, cause I think we passed a Bill earlier that said we couldn't for women, et cetera."

Reitz: "It will not... it will not affect that."

Black: "Okay, fine. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1863?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there were 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present', and the House does concur with Senate Amendment #1 to House Bill 1863. And this Bill having received a Constitutional Majority is hereby

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declared passed. Ladies and Gentlemen, could we lower the volume in the chamber, please? This is final action. We're voting on Bills. The Members are having a hard time hearing. Please. The Chair recognizes Monique Davis."

Davis, M.: "Thank you. Thank you, Mr. Chairman... Mr.. Speaker. I'd like to take this opportunity for a personal privilege and introduce Miss Hattie Powers, the former Chief Librarian of the Carter G. Woodson Library, and also the Illinois Library for the Blind and Physically Handicapped. And today she is with the Roseland Community Hospital up there. Hi, guys. Thank you very much."

Speaker Hartke: "Welcome to Springfield. House Bill 1869, Senate Amendment #2, Representative Hoffman. Excuse me, Mr. Hoffman. The Chair recognizes the Lady from Cook, Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. On the previous Bill, House Bill 1863, I pushed my button for 'yes' and it did not record."

Speaker Hartke: "The record will reflect your desires."

Lyons, E.: "Thank you."

Speaker Hartke: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. I stand on a point of personal privilege."

Speaker Hartke: "State your point."

McAuliffe: "I'd like to introduce to the House my office mate, Alderman Brian Doherty from the great City of Chicago."

Speaker Hartke: "Welcome to Springfield. Representative Black, has anyone come to see you?"

Black: "Yes, thank you very much, Mr. Speaker. I just wanted to rise, also, on a point of personal privilege and echo what my friend and colleague, Representative McAuliffe, said. And then I want you to recognize the fact that Alderman

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Doherty is an endangered species in the City of Chicago. He is a Republican Alderman. And we will be amending a Bill to reflect the fact that he is an endangered species and therefore should be protected, and we hope all of you will vote for it."

Speaker Hartke: "Welcome to Springfield. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would rise to concur in the Senate Amendments to House Bill 1869. Essentially, what the underlying Bill does, is it allows and codifies the provisions concerning school bus drivers and indicates that you cannot have a school bus driver permit, if within the last three years your license had been suspended or revoked. What this does, is it also, the Senate Amendment adds some specific... specific offenses that would also disqualify a bus driver from obtaining a permit. Essentially, the Secretary of State's Office will enforce this currently under the fingerprinting provisions with regard to bus drivers. There are certain offenses that automatically disqualify bus drivers from obtaining a permit. However, when the underlying... or the Bill was done at that time, there were convictions of such offenses as second degree murder, voluntary manslaughter, aggravated stalking, ritualization abuse of a child, aggravated robbery, et cetera, were excluded... excluded from the Bill that would have automatically disqualified a bus driver. We don't think that those types of individuals who are convicted of those types of crimes should be driving a bus with our children on it in this state. I ask for a favorable vote on the Motion to Concur."

Speaker Hartke: "Is there any discussion? Seeing that no one is

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seeking recognition, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 1869?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there were 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur with Senate Amendment #2 to House Bill 1869. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 2218, Representative Biggins."

Biggins: "Thank you, Mr. Speaker. I would move to concur in Amendment... Senate Amendment #1 to House Bill 2218, the Bill benefiting Northeastern Illinois University."

Speaker Hartke: "Is there any discussion? Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2218?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Amendment #1.... On this question on Senate Amendment #1 to House.... On this question 117 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2218. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1897, Representative Myers."

Myers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 to House Bill 1897, basically, is a rewrite of the Bill. It clarifies the Bill in many ways. Mr. Speaker, your own concern about what a small

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business is, this does clarify that issue. To my knowledge there is no known opposition. One of the things that it... it definitely does is provides that the department shall make such rules and regulations as necessary to carry out the statutory provisions of this Bill. It is subject to appropriation and I ask for concurrence wi... in Senate Amendment #1."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1897?' This is final action. All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there were 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1897. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1900, Representative Fowler."

Fowler: "Thank you, Mr. Chairman (sic-Speaker). I stand to ask for concurrence on Senate Amendment #1 to House Bill 1999 (sic-1900) dealing the the Aquaculture Bill. Basically, what the Amendment states is that there will be record procedures set up to audit the Aquacultural Cooperative Program."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 1900?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question there are 116 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1900. And this Bill having received a Constitutional Majority,, is hereby declared passed. House Bill 2038, Representative Brosnahan. House Bill 2038, Representative Brosnahan. Out of the record. House Bill 2042, Representative Kenner. Out of the record. House Bill 2088, Representative Howard."

Howard: "Thank you, Mr. Speaker. I move for the... excuse me, concurrence of Senate Amendment #1 to House Bill 2088. The original legislation requires the Board of Education, the Board of Higher Education, that is, the Illinois College Community Board, and the State Board of Education, to work with the Department of Central Management Services in order to create the Illinois Century Network. As we all know, that will be the High Speed Telecommunications Network that will link up schools and libraries throughout the state. Amendment #1 makes semantic changes to this Bill, adds some formal structure for the operation of the network and expands the focus of the network from students to all of the citizens of Illinois. Are there questions?"

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2088?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2088. And this Bill

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having received a Constitutional Majority is hereby declared passed. Clerk, what is the status of Senate Bill 1028?"

Clerk Rossi: "Senate Bill 1028 is on the Order of Nonconcurrency."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker. I move the House refuse to recede from House Amendment 1 to Senate Bill 1028. This is the vehicle Bill that will be used as part of the implementation program for Illinois First and that's my Motion."

Speaker Hartke: "Is there any discussion? The question is, 'Shall the House recede...'"

Currie: "Refuse to recede."

Speaker Hartke: "...refuse to recede from House... from Senate Bill 1028... House Amendment #1 to Senate Bill 1028?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House does refuse to recede from House Amendment #1, and the House requests a Conference Committee be appointed. Senate Bill 1066. No, out of the record. Senate Bill 1203, Representative Currie."

Currie: "Thank you, Speaker. I move the House refuse to recede from House Amendment 1 to Senate Bill 1203. This, as with the previous Bill, is a measure that will implement the bond program that is part of Illinois First and this will help us put this in a Conference Committee status. I'd appreciate your support for the Motion."

Speaker Hartke: "Is there any discussion? The question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1203?' All those in favor will signify by saying 'aye'; opposed 'no'. In the opinion of the Chair,

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the 'ayes' have it and the House refuses to recede from House Amendment #1. And the House requests a Conference Committee be appointed. Senate Bill 1018, Representative Currie."

Currie: "Thank you, Speaker. I move the House refuse to recede from House Amendment 1 to Senate Bill 1018. As with the two previous Bills, this will put the Bill in Conference Committee status for purposes of implementing Illinois First."

Speaker Hartke: "Is there any discussion? Seeing that no one seeking recognition, the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1218 (sic-1018). All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House does refuse to recede from House Amendment #1 to Senate Bill 1018. And the House requests a Conference Committee be appointed. The Chair recognizes the Gentleman... the Lady from Cook. For what reason do you seek recognition?"

Sharp: "I'm rising for a point of personal privilege."

Speaker Hartke: "State your point."

Sharp: "I would like to recognize St. John Lutheran School from Forest Park where Mr. Brod is now the principal, but he was an excellent teacher when my child was in school. So I'd like for you to all give them a great round of applause. Would you stand up?"

Speaker Hartke: "Welcome to Springfield. The Chair would like to take this opportunity and I think all Members of the House should give Representative Poe and Lieutenant Governor Wood a warm thank you and applause for dinner today. For what reason does the Lady from St. Clair seek recognition?"

Younge: "Thank you, Mr. Speaker. On a matter of personal



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privilege, I'd like to introduce to the Illinois House, Ruth Hill, who is the 1999 Governor's Awardee for Unique Achievement. She has just been presented by a very beautiful plaque and she's here visiting along with Marian Martens, Lana \*Schmulbach, Paul Walters, Virginia Diesen, and Carole Kopis\*. Let's give them a round of applause."

Speaker Hartke: "Welcome to the General Assembly - Illinois House. The Chair recognizes the Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Poe: "Yeah, today on both sides of the chamber we have 12 students from the Williamsville High... Junior High and they're all paging. And I... what's great about that, they all received a perfect score on their Illinois Constitution Test. So why don't you kids all stand up, and we'll give them a big hand."

Speaker Hartke: "Congratulations. On the regular Calender appears Senate Bill 602. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 602, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the budget for the Prairie State 2000 Authority. This budget is at the Governor's introduced level. The introduced level is \$6,485,800. I move for the passage of Senate Bill 602."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, I have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "I stand in absolute support of the Gentleman's Motion."

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But I've... never understood, and I... I like the fact we're going back to not lumping everything in one approp. Bill. But there's one thing I don't understand. These... these approp. Bills aren't on the system. The Democrats may have a hard copy file, but we don't and I'm... I'm just curious as to how you want to handle this. I mean, Representative Morrow, if he says it's a good Bill and I think it is, I intend to vote for it. But I'm not... I'm just a little bit nervous, 'cause there's nothing on the system. We have no hard copy file. I'm glad that we're doing what we're doing, but it seems like we're being asked to vote for something that we really don't see."

Speaker Hartke: "Let me check into that. Representative Morrow."

Morrow: "Well, I kind of agree with the Gentleman on this other side of the aisle, but where's his staff?"

Black: "Well..."

Morrow: "See, I've got... I've got mine right next to me."

Black: "Maybe ours are on the way."

Morrow: "Well..."

Black: "Usually, under the Order of Approp. I leave the floor, but my Appropriations Chairperson is here."

Morrow: "Tell him... tell him to stop eating Representative Poe's chicken and get out here and let's get to the business of the people."

Black: "I agree with you and I've stalled as long as I can."

Morrow: "I'm ready to get out of here by Friday."

Black: "I.... If they're listening to the squawk box, I assume they're going to be up here pretty soon. I appreciate the Speaker's willingness to try and delay until we can get up here."

Morrow: "Mr. Speaker..."

Speaker Hartke: "Mr. Morrow."

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Morrow: "...can we take this Bill out of the record until... until they get staff?"

Speaker Hartke: "Take this Bill out of the record. On Supplemental Calendar #1, on the Order of Concurrences appears House Bill 2255, Representative O'Brien. On Senate Amendment #1, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. I am seeking concurrence in Senate Amendment #1 to House Bill 2255. As you may recall, House Bill 2255 would extend prevailing wage provisions to TIF and to Enterprise Zones and that portion of the Bill has been eliminated by Senate Amendment #1. And now, what Senate Amendment #1 provides for and leaves remaining in the Bill, is that...apprenticeship and training programs are now included for under the Prevailing Wage Act."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2225?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On this question, there were 81 Members voting 'yes', 34 Members voting 'no' and 0 voting 'present', and this Bill... and the House does concur with Senate Amendment #1 to House Bill 2255. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 2271, Representative Coulson."

Coulson: "Thank you. Senate Amendments 1 and 2 change the Small Employer Health Insurance Rating Act. Makes the changes that I had told you on... when we passed it out of the House that we would make. Basically, it changes the percentage index rate to 25% and it adds one additional

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class to the number of rating classes to make it four classes. This Bill represents the work of negotiations and there is no opposition from the Life Insurance Council or the NFIB or Chamber anymore, and I'd appreciate a 'yes' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Black: "Representative... Representative, can you give me some assurance with the Senate Amendments? I did hear from some insurance brokers in my district when the original House Bill went over that we were, if in fact, not getting into the business of rate regulation, we were certainly very close. And they really have some concerns about that. The Senate Amendments.... You said.... I heard you say there was no opposition from the Life Insurance Council. What about the independent insurance agents, those people who are out there selling individual health policies? Can I look them in the eye and say we are not setting rates, we are not regulating rates, the marketplace is still doing that?"

O'Brien: "This Bill is... has no opposition from what I understand, as amended."

Black: "Okay."

O'Brien: "This is.... The agreement was to.... The original Bill caused the rates to be set and ratcheted down over a three year period. Now what we're doing is just saying, they can't increase them anymore than 25% per year and that's, basically, to not allow huge rate increases if they're not appropriate, that were going... some of them

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were going up to 3 and 400%."

Black: "And as I recall under the original Bill, the business groups, most people were in agreement with the Bill when it left the House. And if I hear you, what you're saying, is that with the Senate Amendments, as far as you know, that all groups are in concert now?"

O'Brien: "Yes."

Black: "All right, fine. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Parke: "Well, what did we do to remove the opposition, again? Can you explain? And while you're preparing to answer that question, I was contacted by the Employment Law Council and the Association of Life Insurance Companies who are opposed. Do you believe that they've removed their opposition? Do you know, specifically, that they've removed their opposition?"

Coulson: "As far as know, I have heard of no opposition, as amended."

Parke: "Who ca... Who put the Senate Amendments on in the Senate?"

Coulson: "I believe it was Representative Madigan. I mean Senator Madigan. Excuse me."

Parke: "Senator Madigan. Okay. Now what... what did those Amendments do that removes the opposition of the business community and the insurance community?"

Coulson: "It was Senator Robert Madigan, since there are two Madigans now, in the Senate."

Parke: "Thank you."

Coulson: "Basically, this... as we spoke of when this went out of

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the House, we were going to amend the percentage rate increase. We got rid of the graduated decreasing in the rates and we added, as requested by the Insurance Council, four classes of business and there used to be three. And, as amended, they are all in agreement and it went out of the Senate 59 to 0."

Parke: "So this is... this is.... Do you believe with these Amendments they addressed my opposition that I had to the Bill, when you and I discussed it on the floor when you originally sent it, and it was voted on and sent to the Senate?"

Coulson: "If I remember correctly, I do believe these do address your problems."

Parke: "And this.... Do you believe now that this is fair to all segments of the business community; small, medium and large corporations?"

Coulson: "I believe with no opposition that that must be the case or they would have told me."

Parke: "Thank you, Representative. I appreciate you working... with all the... all the people who this Bill affects and try to come up with a workable compromise. Thank you."

Coulson: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Coulson to close."

Coulson: "I would appreciate an 'aye' vote on concurrence and thank you."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2271?' This is final action. All those in favor signify by saying 'aye'; those opposed 'no'. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Mr. Clerk, take the record. On this question, there were 117 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendments #1 and 2 to House Bill 2271. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 2031, Senate Amendments #1 and 2, Representative... Speaker Madigan."

Madigan: "Mr. Speaker, this is the Bill that's concerned with testing of large diesel trucks. The Bill passed the House. There were several changes made in the Senate and I would like to read through a summary of some of those changes. So, number one, the threshold level of poundage that establishes when a truck must be tested, was raised from 8,000 pounds to 16,000 pounds. This means there will be less trucks subject to the testing. Number two, vehicles operated on farm plates will be exempted from the Bill. Number three, it provides that... that the testing be conducted annually at the official testing sites and certified by IDOT. Next, persons or municipalities who are permitted by IDOT to conduct their own safety inspections would also be permitted to conduct their own self-testing, in terms of testing for diesel emissions. Next, it provides for a certificate of waiver for vehicles that failed the emissions test upon demonstration, that emission repair costs for the noncompliant vehicle of at least \$3.00 have been spent in an effort to achieve compliance of this... a weakening of the Bill. The spot testing by the State Police have been removed from the Bill. Mr. Speaker, I would be prepared to attempt to answer any questions. I would move for the.... I would move to concur in the Senate Amendment."

Speaker Hartke: "Is there any discussion? The Chair recognizes

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the Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker and Mr. Speaker. I understand that this only covers trucking companies where the trucks are based within the... within the area where we now test cars for emissions. Is that correct?"

Madigan: "Mr. Skinner, generally yes, because there is a slight difference. But generally, yes, and if I could read the areas that would be affected; it would be the counties of Cook, DuPage, Lake, Kane, McHenry, Will, Madison, St. Clair, Monroe, the townships of Aux Sable and Goose Lake in Grundy County and Oswego Township in Kendall County."

Skinner: "So, it's all of McHenry County, for example?"

Madigan: "Yes."

Skinner: "Do you have any concern that this may be an invitation to trucking companies in those counties to move to other counties?"

Madigan: "I don't think so, because I think that we'll find that the majority of trucks in this area will comply with this requirement."

Skinner: "They're... they comply already?"

Madigan: "Well, I ... I don't know that they comply already. I think they will and I say that based upon representations made by the Trucking Association, both in the House and the Senate."

Skinner: "All right, well, let's move to the other potential shift of location problem. Assuming we pass the Bill, that increases the truckers fees by 25%, what makes you think that this requirement on top of that increase fee will not encourage truckers to follow former Treasurer Cosentino's example and move their truck companies to Indiana, for example, from your area?"

Madigan: "I just think that there is a very strong market in



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Northeastern Illinois and near St. Louis in the Metro-East area, such that we're not going to be driving people that are in the business of moving goods in and out of that area, out of the area. I think that the market will still be there."

Skinner: "Well, it appears to me the market might be there for picking up and delivering goods. I think that's undeniable. But I don't think they have to be based in Cook County. I think they could be based in Indiana or Wisconsin or Rockford. I mean, I wouldn't be surprised to see all the downstate Legislators, except those from the Metro-East area, vote for this Bill as an economic development tool. And if we had Indiana Legislators here, I'm sure they'd all be voting for it."

Madigan: "Well, Mr. Skinner, you know we have cost differentials today between our area, Southern Wisconsin and Northwestern Indiana that we have to contend with. And then the truth is, that economic conditions in Northeastern Illinois are pretty good right now."

Skinner: "Well, this is not going to make them better."

Madigan: "Well, I... think that what we really want to think about is the cleanliness of our air, the air that we all breathe. And all of us have been traveling along the highways and the streets of our state and we've been following one of these large diesel trucks that's belching black smoke into the air, and that's the air that we're breathing."

Skinner: "Well, indeed, that's what I thought about last time we voted on this Bill when I voted on your side. Since then, we've decided to increase the truck fees by two-thirds, going from 15% to 25%, and I'm just wondering if trucking companies like United Parcel will continue to license

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their, what I've been told are 3,000 trucks in Cook County, or whether they'll move them to Indiana. I mean...."

Madigan: "I don't expect that, Mr. Skinner."

Skinner: "Do you have any inside knowledge that might indicate that they wouldn't do what a rational businessman would do, which would be move to the place where you can operate cheapest?"

Madigan: "It's just my expectation that that would not happen."

Skinner: "Well, sometimes wish fulfillment works in this place."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Black: "Representative, if I heard you correctly, 8,000 pound second division vehicles have been removed from the Bill in the Senate. Pickup trucks are not in the Bill, correct?"

Madigan: "The answer is yes."

Black: "Okay. Now, the Bill applies primarily to what we know a the nonattainment areas. Correct?"

Madigan: "Yes."

Black: "All right. Now, if... if I have... an individual hauling freight to metropolitan Chicago, the truck clearly is licensed and registered in Illinois, but home-based in say, Vermilion County, which is an attainment area. That truck, while traveling in the Chicago metropolitan area, could be pulled over and inspected for emissions. Correct?"

Madigan: "No."

Black: "Oh."

Madigan: "That was removed from the Bill. That was one of the Senate Amendments. That's where the spot-testing by the State Police was eliminated."

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Black: "So, then is it correct to say that only those trucks registered in the nonattainment areas will be subject to the inspection?"

Madigan: "Yes."

Black: "Okay. Is there anything in the Senate Amendment that also says if you are required, or if you are doing an emission check, that they can also check your vehicle for safety violations?"

Madigan: "Well, the way it works is that... these vehicles are required to be checked for safety twice a year. That's an established requirement. And what we provided was that at one of those inspections that they would go through the emissions testing also."

Black: "Right. If the emissions testing comes say, three months after the safety check and the officer at the emissions test says, 'your truck does not meet safety standards and I'm going to cite you for that.' Can that be done or would the fact that it's only been 90 days since the truck was safety inspected, the officer could simply say, 'You need to go back and get this fixed, but I will not and cannot write you a ticket under this law?'"

Madigan: "You see, Mr. Black, it's a choice for the owner/operator. Our view was that the owner/operator today is required to go to one of these safety inspection locations twice a year, and while they were there on one of those occasions they would have their emissions testing done at the same time."

Black: "Is there a fine.... Is there a fine structure, a penalty structure in the Bill, as amended, in the Senate?"

Madigan: "Mr. Black."

Black: "Yes."

Madigan: "The way it works, they go in for the test and they can

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be found to be not in compliance and given 30 days to correct the problem. And then if they don't, the vehicle can be placed out of service."

Black: "Okay. Are... are governmentally-owned vehicles exempt? IDOT trucks, City of Chicago trucks?"

Madigan: "They're not... they're not exempt, but they can be self-tested as happens today under the safety inspections."

Black: "Would this also then cover those diesel buses owned by the Chicago Transit Authority?"

Madigan: "Yes."

Black: "Okay, now, the... there's a provision where they can't be taken out of service for obvious reasons, but I assume there are provisions where they must make whatever corrections are necessary to come into compliance in a reasonable amount of time?"

Madigan: "That's the 30 day period that I just referenced."

Black: "Okay, fine. It appears to me, Representative, that the Senate made your Bill quite a bit more lenient, and this meets with your approval?"

Madigan: "You've been around here a long time, Mr. Black."

Black: "Yes, yes, I have. And I...."

Madigan: "Compromise is the price of survival."

Black: "The longer I'm here the more amazed I become. Well, it's.... I think they've taken a Bill that you did a great deal of work on and they certainly have made it more palatable, perhaps, made it palatable to the point where I'm not sure it does what you intended it to do originally. But I guess compromise is the art of the process I... and I appreciate your indulgence in answering the questions. Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Speaker Madigan to close."

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Madigan: "Mr. Speaker, again I would request an 'aye' vote in favor of the concurrence."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2031?' This is final action. All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 83 Members voting 'yes', 32 Members voting 'no', and 2 Members voting 'present'. And the House does concur with Senate Amendments #1 and 2 to House Bill 2031. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, what is the status of House Bill 943?"

Clerk Rossi: "House Bill 943 is on the Order of Concurrence."

Speaker Hartke: "Mr. Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, the House passed this Bill overwhelmingly and the Senate placed a referendum requirement upon the Bill. I would move for the adoption of the Amendments."

Speaker Hartke: "Is there any discussion? Is there any discussion on the Concurrence Motion? The Chair recognizes Representative Black."

Black: "Yes, Mr. Speaker. I'm just... All right, I just simply.... To the... to the Concurrence Motion, if I could, Mr. Speaker."

Speaker Hartke: "To... to the Motion."

Black: "I... I was not aware that Chicago didn't have this program. My hometown of Danville does have a Low Interest Home Improvement Program. It has worked well. It has taken some areas in transition and stabilized them. Since I've had some personal experience with this, I see no

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reason why Chicago shouldn't have access to the same kind of program. It has worked well in the areas that I represent. I stand in support of the Gentleman's Motion."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 943?' All those in favor.... This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 117 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 943. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 7, Senate Amendment #1, Mr. Madigan. Speaker Madigan."

Madigan: "Ladies and Gentlemen, we all know what this is. The Senate has removed the... has removed itself from the provisions of the Bill and I move to concur in the Senate Amendment."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Now I know I've been here too long. I simply rise to support.... I thought we were on the Order of Special Call, we were on the order of Speaker Madigan. But in this case.... Ladies and Gentlemen of the House, in all seriousness, we've debated this Bill ad nauseam for four years. We all know where we are on the issue. I respect those of you that disagree with me, but I want to tell you I stand with the Speaker. I agree with the Speaker. It is time, it is time to do what's right. If our colleagues on the other side of the rotunda want to give away a freebie scholarship that we

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don't appropriate one dollar for, then fine, the next newspaper expose should concentrate on the Senate. It is time. This program is 98-years-old. Nobody knows why it was started. You've all read the stories as I have. We don't need to debate it for a half an hour, we all know where we are on the Bill. It's time to vote. I stand with the Speaker and I intend to vote 'aye'."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Rutherford: "Mr. Speaker, it's my understanding that the Senate was under consideration that if they did eliminate the House scholarships, that they would double theirs in the Senate. Is this in this piece of legislation?"

Madigan: "Not to my knowledge."

Rutherford: "Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Spea... Mr.. Speaker and Ladies and Gentlemen of the House. I rise in strong opposition against the Speaker's Bill. Once again, this is... this is something that I think that is totally unfair. You have a... you have a situation that a lot of individuals in our society get special privileges. For instance, if you want to abolish this scholarship, well, let's be fair about it. Let's abolish it across the board. The previous speaker had a Bill to support scholarships for the men that are in the U.S. services, to their families. Let's abolish that, Representative. We have various scholarships among the universities. Let's begin to cut and abolish those scholarships to the Members who get scholarships and their

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families that get scholarships from the various universities. The employees that get scholarships, that get all sorts of scholarship incentives. Let's abol.... Let's begin to abolish that. Let's be fair across the board. Now, I know there are some Representatives that say that, well, let's get rid of it. And I am saying there's a lot... I think there's more Representatives that use these scholarships in the correct way. I have had too many individuals, young students, who have come back after they have been educated from this process. We have just given the taxpayers of the State of Illinois a tax credit that was not fair across the board, and now we're getting ready to take something away that is not fair across the board once again. Most Representatives in this Body is going to go back home after Friday, if we adjourn, and say that they did the bus... they did the business of the people of Illinois. I say if we continue to put strongholds on measures that's going to educate our kids, we are not doing our job. I stand in strong opposition against this Bill and I think every Member should take a look at this. If you do not want these scholarships, give them to someone else. Do not use them. But why take away a opportunity for another child who look forward to these scholarships. I am sure that each and every Member here will have or already has numerous of applications for this current year for scholarships. What is going to happen to those individuals who seek and look forward to the scholarship process for this period? I think this is a travesty. I think the Speaker, in this particular instance right here, should not allow this Bill to be called to concur with. This measure was not... did not have this due process, its rightful process. It did not come through the Higher



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Education Committee. When the Bill first came up, it snuck through the back door in the Executive Committee, if I'm... if I believe. So, this is not fair. And I urge all of our Members here to think about this if this is taken away from us, because there are... there are students that are counting on us to fulfill certain obligations and this is just one small obligation. So please vote 'no' to concur with this Amendment."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Davis, M.: "Has the Sponsor abandoned the Bill?"

Speaker Hartke: "No, the Speaker is here in the front of the chamber."

Davis, M.: "Mr. Speaker, is this Bill, the Bill that allows 'Pate' Phillips (sic-Philip) to give his constituents scholarships, and my Senator Emil Jones, scholarships? Is that what this concurrence is about?"

Madigan: "The answer is yes."

Davis, M.: "Well, Mr. Speaker, do you believe they have greater knowledge than you do in who should be educated and who should not?"

Madigan: "That answer is no."

Davis, M.: "Well, that means that the House deserves the right just as the Senate to give scholarships to constituents. Wouldn't you agree? You say 'Pate' Philip is no more knowledgeable than the Leader of our House. Emil Jones is no more knowledgeable than his Representative in this House. Therefore, therefore, they should have no greater right to give a scholarship than we should have. I will not foolishly give up my right to see that some person in

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certain districts, or all of our district are enabled to go to school. I just talked to someone at Chicago State University and the tuition can vary between \$1,810 per course and \$1,478 per course. That can mean the difference between me having an educated person, a teacher in my district, an educated person, a biologist in my district, an educated person, a podiatrist in my district, an educated person, a dentist in my district, an educated person, a medical doctor in my district, not just rich people should go to school. Not just rich people should go to school. Now in a few weeks, in a few weeks we're going to be giving some scholarships to some of these contractors to build some roads. In a few weeks we're gonna give some scholarships to some local government to do whatever they choose. In a few weeks we are going to give some scholarships to mass transit. Let's give some scholarships to the little people who make it all happen. This is a 'no' vote. We cannot represent Leadership's districts. Now if they come from wealthy districts like 'Pate' Philip, his people don't need a scholarship. They've got money. Pate's people have money. Emil's people have a little bit. I represent the other half. This is a 'no' vote in good conscience, to say to the little people who pay the taxes, occasionally, you're gonna benefit from it. Vote 'no'."

Speaker Hartke: "Further discussion, the Chair recognizes the Lady from Cook, Representative Hamos."

Hamos: "Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Hamos: "Mr. Sponsor, Representative Madigan, may I just establish for purposes of legislative intent for those of us who in good faith are now seven-eighths through the process for next year, that if we make those nomination by June 1,

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which means getting paperwork into the various universities by June 1, then we can award the full complemented scholarships for the next school year, is that correct?"

Madigan: "That's my understanding, yes."

Hamos: "Okay, thank you."

Speaker Hartke: "Further discussion, the Chair recognizes the Gentleman from Williamson, Mr. Woolard."

Woolard: "Thank you, Mr. Speaker. Ladies and Gentlemen, I think that consistency is one of the things that we have been about as far as the Legislative Body, ever since I have been here at least. I think consistency is one of those things that we had always taken pride in. There probably are a lot of us who have taken different views on different subjects. And without question there's a lot of people in this Body that have a different idea as to what is right in their district as far as these legislative scholarships are concerned. Without question, each and every one of us have the right to cast our vote in the way that we choose, but positively this is not the right approach. A disparity in the benefit package of the Senate, compared to the House of Representatives, is the most inconsistent thing that we could be about. I'm here to tell you that right now, we should be standing up for the thing that we believe is right and consistent across this hall in this great chamber that we work. I'm here to tell you that I have fought for and will continue to fight for scholarships for the district that I represent, because without question there are kids who are receiving educations today. There are successful young adults because of the efforts of the committee that we established in our district. Without question there have been successes in the process as far as giving scholarships to individuals who have needs, many of

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them great needs. I believe that without us taking action to kill this Bill today, that we will be creating one of the greatest disparities that we could possibly ever be about, and I'm here to tell you, that we don't want differences between the two chambers, without question when we established a Senate and a House, it was for a purpose. It was for us to work in collaborative ways to make a difference. And I believe that this could be the beginning of a demise that we don't want to see happen. I don't think we should have more, but I don't think they should have more. I don't think they should have greater responsibilities and us have less. I'm here to tell you that collectively we can make a difference for all of the people, including the kids, especially those kids that we believe deserve and should have the opportunity to an education, whether they have the ability or not. Do it right. Do what you believe, but let's positively not create something that will make us all regret in years to come. Thank you."

Speaker Hartke: "The Chair recognizes the Lady from Lake, Representative Moore."

Moore, A.: "Thank you, Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Moore, A.: "Well, this 'hot potato' has gone back and forth in the last seven years that I have been here, and many people have changed their votes both pro and con so that the public has been thoroughly confused by this issue. But I guess we can say 'Touche', to the Senate, because they have really put it to us today. But the truth is, if you believe in kids and you believe in this program, you should vote 'no'. This program is worthwhile for the kids in this state. We should be able to give out those scholarships

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exactly the same way as the Senate has and I urge a 'no' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Morrow."

Morrow: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, I am going to go directly to the Bill."

Speaker Hartke: "To the Bill."

Morrow: "I'm gonna tell... first of all Mr. Speaker, Mr. Speaker, can we have some quiet in... in the chamber?"

Speaker Hartke: "Can we have a little order in the chamber please."

Morrow: I'm gonna tell the chamber of a tale, a tale that started five years ago, when a young man born in the Englewood area came to my office and said, 'Representative Morrow, I want to become a doctor.' And the tale is, born in Englewood, disadvantaged, served his country, served in the Persian Gulf War as a medic, came back decorated with honors, and he came to me with a dream, he said, 'Help me become a doctor.' And I said I will do everything I can to help you become a doctor. So, I gave him a General Assembly Scholarship. Had no influence with me, had never written a campaign check to my citizen fund, didn't know his family, didn't work a precinct, for me I was gonna answer his dream. To make a long story short, this gentleman is graduating from SIU Medical School this Saturday with honors. And normally, it's not decorum to mention the names of private citizens, but I'm gonna mention his name because as of Saturday, his name... his title will be Dr. Herbert Halls, not Herbert Halls, number XXX in Joliet Correctional Center, not Herbert Halls XXX in Joliet Correctional Center for dealing drugs, not Herbert Halls number XXX in the Joliet Correctional Center for being a

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murderer. He's not Herbert Halls number XXX for being a gang banger, or owning a crack house. He is Dr. Herbert Halls on Saturday and I'm gonna be proud to attend his graduation ceremony. We tell our young men and young women, that to succeed in life, you have to tow the line. But when they tow the line why should we change the rules in the middle of the course? Some of us have taken this issue very lightly. I have never taken the issue of awarding scholarships to my constituents lightly. In my 14 years, 12 years rather, of being a State Legislator, I have graduated three doctors, and one dentist. And I've graduated at least 12 other young men and young ladies from the Englewood area, where a young lady was gruesomely murdered last spring, that they 12... six months to accuse the person who committed the crime. I don't award my scholarships to the 'haves', I award my scholarships to the 'have nots'. And this Bill here, reeks of of being against the 'have nots'. This Bill is no longer a game to me, people laugh at it, and I know that the person... that the Leader who is carrying this Bill, he's very serious on this. This Bill is not a game to him. But it shouldn't be a game to the young men and the young women who we're able to educate and let them live productive lives. That should be 118 red votes. A hundred and eighteen red votes on House Bill #7. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Silva."

Silva: "Thank you, Speaker. I rise in opposition to this particular Bill, because I come from a working class district where people actually go out and work, many of them make minimum wage. They have kids, two or three kids that may all be in school. I know that in some districts,

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maybe some people don't care about these scholarships because their constituents are able to pay to go to school. I can tell you that my district, that's not a luxury that we have. I know that... and I've heard even before I came to the Legislature, regarding some of the abuses and calls for getting rid of these scholarships. There are other measures that we can take to curb those kind of abuses, but again, you want to penalize every single person for the mistakes of a few. I would urge a 'no' vote, because again, in many of our districts we will be putting doctors through school, lawyers through school, teachers and other professionals. I think that the Speaker ought to think about some of the ways that we can change the Bill, so that we can address the concerns of all Illinois residents without taking a good program and getting rid of it, unless we're ready to get rid of all the other give-aways that we give to people that do not deserve it, that have the money, and still take from our tax dollars. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Jones, Lou Jones."

Jones, L.: "Thank you, Mr. Chairman, Members of the House. Will the Sponsor yield, please?"

Speaker Hartke: "The Sponsor he indicates he will yield."

Jones, L.: "If this Bill was to pass and those scholarships would be taken from this chamber, what happens to the money, the amount... does that mean my Senator gets my part? Does she get double scholarships or how does that work?"

Madigan: "The Members of the Senate would just get what they get today. That's all, no more."

Jones, L.: "Okay. To the Bill."

Speaker Hartke: "To the Bill."

Jones, L.: "Number one, you know, when I first came down here

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before I met anyone down here, I was told by a lot of people back in Chicago that Michael Madigan was a very fair person. And I believe that, regardless of what you think on the other side of the aisle, I believe that. But I think he kind of stumbled on this one because this is not a fair issue. I don't understand how in the world you can give... you got two chambers here. When we send a Bill over there, it cannot go to the Governor's desk unless it's voted on, in that chamber. And if has to be corrected, it has to come back to this chamber, so that let's me know that these two chambers work together. I don't understand how something can be taken away from this chamber and kept in the chamber across the hall. I don't understand why Speaker Madigan would want to put me at the mercy of my Senator. If I need a scholarship, I'm gonna have to go to my Senator and ask her, 'would you give me one of your scholarships?' Now, she... the reason why I asked the question, do they get the ones that we're gonna give up? Hopefully not, we don't give them up, or does she keep what she has? If she keeps what she has, she's not gonna give me anything. Now, Charles mentioned Englewood. My district also is in what we call the 'hood'. And I have never in my 12 years down here abused, abused the scholarships. Just like Charles, I have a young lady, a young lady who waited till both of her daughters got 18-years-old and graduated out of high school and she went to Medical School. And she graduated last year from the U of I Medical School. So, I think that if they... are abused then you should deal with the people that have abused them. I asked the Speaker yesterday, Why are you doing this? This is so unfair. The Speaker told me, 'I'm sick of the scholarships.' Well, that was the big thing,



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he said he was sick of the scholarships. I'm not sick of the scholarships, and I'm one of these 118 Members in this House. If he doesn't want his scholarship, if you don't want your scholarship, turn it back in. Don't use it. But I don't think it's fair for you to take my scholarship because you don't like what's happening with the scholarships. I urge a 'no' vote and I hope everybody in here... One other thing, I think the abuses do not outnumber the successes. And why don't we vote on... we got all kinds of committees and all kinds of task force around here, why don't you get one to deal with the people who abuses scholarships and take them away from them, but for the people that don't abuse them, you are punishing them and I urge a no vote."

Speaker Hartke: "Further discussion, the Chair recognizes the Lady from Sangamon, Representative Klingler."

Klingler: "Thank you very much, Mr. Speaker, I would urge support of this Amendment, I think it is time that this House do the right thing, that it stand up to the hypocrisy of the Illinois Senate in continuing to want to give out unfunded, unappropriated, scholarships to people in their district. As a Member of the Higher Education Committee, I am particularly aware of the many needs and financial needs of the poor in this state and the working families and the needs for education funding. And we have this system set up in place for scholarships. We should work to continue to increase funding for those scholarships. We don't give cash grants. We don't personally decide who gets a welfare check, who gets poverty help. We work through the system with the established state agencies for other such programs. We should continue to do that, but let's stand up to the Senate. Let them go ahead. Let them give out

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the unfunded, unappropriated scholarships and show them up for what they are. Let's us do the right thing. Let's once again vote to end Legislative Scholarships and we'll let the Senate have to pay for what... what they are doing to the credibility to the Illinois Legislature."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from... Representative Lyons."

Lyons, E.: "Thank you Mr. Speaker. I, too, rise in support of this legislation, based on the one premise that two wrongs don't make a right. Just because one chamber is giving out, as we said earlier, unappropriated scholarships we are being very magnanimous with somebody else's money. These are perks that we enjoy at someone else's expense, we're not appropriating the money for it and I urge a 'no' vote... I mean 'yes' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross."

Cross: "Mr. Speaker, I move the previous question."

Speaker Hartke: "Mr. Cross, has moved the previous question. All those in favor of the Motion, signify by voting 'yes', those opposed vote 'no'. The voting is open. The quest... the Motion is, 'Shall the previous question be put?' All those in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the aye's have it and the question is put. Speaker Madigan to close."

Madigan: "Mr. Speaker, I request an 'aye' vote."

Speaker Hartke: "The question is 'Shall the House concur in Senate Amendment #1 to House Bill 7?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record

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yourselves. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 59 Members voting 'yes', 52 Members voting 'no', and 4 Members voting 'present'. And the Motion fails. Mr. Clerk, what is the status of Senate Bill 652? Representative Woolard. Representative Woolard."

Clerk Rossi: "Senate Bill 652, has been read a second time, previously. Amendments 1 and 2 were adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Barbara Currie, has been approved for consideration.

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker. These are technical changes to the Bill that were recommended during the committee hearing yesterday morning. I know of no opposition to this Amendment and I'd appreciate your support."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #3 to Senate Bill 652?' All those in favor signify by saying 'aye'. Representative Black."

Black: "I'm sorry, Mr. Speaker. The staff wasn't here. Could I ask one question of the Sponsor?"

Speaker Hartke: "You may."

Black: "I thought you said teacher recertification and I thought we had an agreement on that? This is Chicago Local School Council. I'm sorry, thank you."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #3 to Senate Bill 652?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Floor Amendment #3 is adopted. Third Reading. Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 652, a Bill for an Act amending the

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School Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a Bill that deals only with procedures in the Chicago Public School System. The Bill, as originally proposed, engendered a great deal of opposition, a great deal of controversy. There still is some controversy attached to the measure, but I believe that this is a fairly fair and effective way of solving several problems in the Chicago Public School Systems. As amended, the Bill does about four things. First, it provides that certain convicted felons, people who've been involved in sex crimes with children or who have been convicted within the last ten years of certain drug dealing felonies, are prohibited from serving on a local school council. Second, it provides that a way of enforcing current law, which says that people who've been convicted of certain other felonies must admit that information when they apply to become a local school council member. This Bill would make it possible for the Chicago Board of Education to do a background check, not involving fingerprints in most cases, in order to make sure that people have, in fact, been accurate with that information. It also provides for some fiscal control over local school councils and principals, who are not keeping accurate books. Currently, the board is empowered to provide a fiscal advisor to a school with those kinds of financial problems. Building on that program, Senate Bill 652 would require the fiscal advisor to help the principal and the local school council figure out how to keep their books accurately. If at the end of 90 days, things are back on track, end of story. If there still are problems, the fiscal officer writes a report specifying the

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irregularities. At that point the central board may, but is not required, to establish a financial oversight team, including the fiscal advisor, an outside auditor, and a member of the superintendent's staff. That three person group would have responsibility for making sure that the school budget, which is adopted by the local school council, in fact is carried out. And finally, the most controversial Section of the Bill, is the part that deals with the question of principal retention. What this measure provides, is that in the event a local school council decides not to retain a principal who's received a rating of satisfactory or better from the general superintendent's office, there will be opportunity for review. Similarly, if a local school council decides to retain a principal who got a less than satisfactory rating from the board, there will also be an opportunity to review. As originally proposed, the review would have been by a group that... that was appointed essentially by the board and the final decision would have rested in the Chicago Board. Local school councils complained, quite rightly, that that proposal would have given too much power to the central board, at the expense of the local school councils. Instead, what this measure provides is that the review will happen before an independent arbitrator, chosen by the American Arbitration Association. And that arbitrator, clearly not in the pocket of Paul Vallas, and not in the pocket of the local school council, would be empowered only to overturn a principal retention decision by the local school council, if that decision were arbitrary and capricious. What that essentially means, is that we can expect very few if any, council decisions to be overturned. But this provides a safety valve, in the event

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that a school council, is indeed out of control, is making decisions based on whether the principal's willing to sign a contract to hire the brother-in-law of a council member or inflate the grades of the child of a local school council member. I believe we have a responsibility to the children in that school building and if it happens only once, it's still 500 children, a responsibility to see to it that there is a fail-safe when a local council is not reflecting the best educational needs of the students in that school. So, that's essentially, the Bill. I would appreciate your comments and I would certainly be happy to answer your questions. And I would be grateful for your support for passage of Senate Bill 652."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker. Will the Speaker (sic-Sponsor) yield?"

Speaker Hartke: "She indicates she will."

Giles: "Representative Currie, I believe when we first began to work on this initiative, it was perceived that the central board specifically, the CEO Paul Vallas, wanted the absolute power to be able to fire or either hire principals, is that correct?"

Currie: "That was certainly the perception by many, looking at the provisions in that Bill. And to the extent that that was either what they were asking for or that it could have turned out that way, that is not what is in Senate Bill 652 today."

Giles: "Representative, also, I believe because this measure was brought into committee we were able to open up this language to add some provisions that will be fair to everyone. Also, I believe, if I'm not mistaken, that one

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of the provisions in the language of the Bill states that the actual training of the local school council member, that the training process that the board... that the board will pay for those measures. The board has to pay for those measures."

Currie: "Thank you. Thank you for mentioning that, Representative. Yes, we added language requiring the board to offer training in principal evaluation procedures and criteria to local school councils, and in fact, the board will contract with outside entities, universities, not-for-profit groups, actually to provide that training."

Giles: "And of course... "

Currie: "And that was a complaint we heard from local school council members, who said they often did not have the resources to know how best to do their job."

Giles: "And, of course, if a board has to go into arbitration and that those costs will be paid by the central board, as well. Is that correct?"

Currie: "Not only the cost of the hearing officer, but also any costs that are incurred by the local school council, as it presents its case before that hearing officer."

Giles: "Thank you. To the Bill, Mr. Speaker. This is a Bill that has worked on for quite a while and I would like to stand here today to commend the Sponsor for taking the leadership to work on this Bill. We started in a situation in which it was perceived that the CEO of a public school system wanted absolute power. That initiative, if it was true, it was halted. Let's say look at... let's take a good look at this Bill and this procedure and to try to make it better. And the Sponsor have worked long and hard. The Sponsor have also allowed a couple Amendments on the Bill that... that... that truly gave some equity and parity

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to this Bill and prevented some unwanted situations dealing with a individual cannot serve on local school council if they have had a... if they've been convicted as a rapist or a pedophile or a child abuser. So, these are the type of initiatives that... that, I believe, that's truly strengthened this Bill and gave it a little bit more substance. And I would just like to commend the Sponsor for taking that initiative. I think this is a Bill that everyone here should support and I just, once again, would like to commend the Sponsor for taking the leadership in allowing some language on this Bill to have some substance and to be able to truly serve our children of the State of Illinois. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Lopez."

Lopez: "Thank you, Mr. Speaker. First of all... To the Bill."

Speaker Hartke: "To the Bill."

Lopez: "First of all, I'd like to commend Representative Currie, 'cause I, obviously, do not envy the position that she has been in for the last few months."

Speaker Hartke: "Could we have a little order in the chamber, please? Shh!"

Lopez: "I'd like to commend Representative Currie for her hard work on this piece of legislation. It's something that I don't envy her position, something that has been a very controversial piece of legislation, not only here in Springfield, but in all our individual districts, especially in Chicago, such as for us Legislators who live where this Bill is going to have affect on. So, I commend Representative Currie for all the work that she has done. I opposed the original legislation for numerous reasons. Part of it was because I felt that the original legislation



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swung the balance of power completely to the CPS of the central office. And I do not think that the intent of the Illinois General Assembly, back in 1989, was to give control to the central administration. But, in other words, it was to bring control to the local people... to the local parents and local councils and that's why local school councils were created. So, therefore, I opposed your original legislation and I commend Representative Currie for working, on making the Bill better. But, what does bother me about this whole piece of legislation has been the process. And many of us have a difference of opinion and that's what this makes... what makes this democracy so great is that we all have a right to have a difference of opinion. And what bothers me and will continue to bother me... bother me has been the process that even... I felt that this Bill should have been debated and worked on during the summer, so that we could make sure that we were doing the right thing. We do not change public policy in a month or two months. And I still think it's wrong that we're gonna piece this... we're gonna vote on this piece of legislation today. As the chairman of the Clemente Investigation Committee and some of those... those of you who have worked with me on that committee... we dealt, for two years, on this investigation. And we dealt with the issues that were affecting a high school in my district that have felt affected the local school council and affected Clemente High School in my district. But part of that Bill, a part of that committee was also to work on Chapter I. And, as time came on, as we came close to the end, we did not address the issues of Chapter I 'cause we did not have the time to really investigate it and check the whole issue. So, therefore, we did the right thing.

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We voted and we worked on the actual problem that we had at Clemente and we decided to deal with Chapter I this year. And so, we did the right thing. I think that we're doing... making a mistake by even though, I probably agree with a lot of... what's in this Bill, but I don't agree with the process. I think this a Bill that should have been discussed over the summer and let the people who elected the local school councils. We are all elected by the people, just as the local school councils are elected by the people. And we should have given the opportunity... we should give the opportunity to people, to people who voted for the LSC's, to listen to the concerns of CPS, listen to the concerns of the LSC's and unfortunately, we have not. This Bill is better than it was in original and it's gonna have the amount of votes to pass and I intend to vote for it. But I urge Representative Currie and she has made some promises that she's gonna to work over the summer. She's gonna to work on some issues that exist that are... that we have... that are... some problems that exist in the Amendment and I intend to work with her. And I just want to urge... Chicago Public Schools and the LSCs and those of you who are from Chicago know what I'm talking about. There is a great, great division... great problems exist between the LSCs and Chicago Public Schools. And I think that the LSCs play a pivotal role in school reform and the education of our kids. So, I think it's important and I urge both sides that continue to look, find ways to work together. Again, we all have a right to disagree, but we should all work to disagree to making sure that we educate and we get the best education possible for our kids. Thank you."

Speaker Hartke: "This Bill is on Short Debate. There are still

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several individuals seeking recognition. Does anyone stand in opposition of this Bill? Does anyone stand in opposition?"

Speaker Hartke: "Chair recognizes Representative Durkin."

Durkin: "Thank you, Mr. Speaker. Will the Sponsor yield for one brief question? Representative, under this legislation, if a local school council does fire a principal and that principal chooses to participate in arbitration, who picks up the costs for the arbitration?"

Currie: "Actually, this only happens when the council decides not to renew a principal who had a satisfactory rating or failed to renew one... or did renew one that had a bad rating. And under this measure, the board will pick up the costs that the local school council incurs in presenting its evidence to the hearing officer."

Durkin: "Okay. So, it's not going to come out of that principal's pocket?"

Currie: "It's not going to come out of the Chapter I Funds. It's not going to come out of the individual LSC member's pockets."

Durkin: "Great. Thank you very much. I think this is an outstanding piece of legislation. And I think it's worthy of all of our 'yes' votes."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Delgado: "Representative, it is my understanding that you will Sponsor an Amendment in the Veto Session to make some cleanup changes to Senate Bill or House Bill 652... it's Senate Bill 652. Is that correct?"

Currie: "Representative, I have suggested to all the people who

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are interested in this measure that I would be happy to convene hearings over the summer months to continue discussions about the Bill. And to the extent that there need to be some clarifying Amendments or technical changes, I have offered that... to make sure we do those in the Fall Veto Session."

Delgado: "Okay. And also, Representative, if an LSC's decision in this legislation... as you know, I'm a Member of the Education Committee, and this is one of the questions that I had to come up with was: If an LSC's decision, not to renew a principal's contract as it is in arbitration, will this prevent the LSC from moving ahead to select a new principal?"

Currie: "There is nothing in the legislation that would lead one to that conclusion."

Delgado: "Thank you. To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Delgado: "I've had the privilege of serving on an LSC in Chicago for a high school. I had the privilege of being the Chairman of the Evaluations Committee for the principal selection of our high school. Unfortunately, in the process, when my prin... that principal was dismissed, there was a school down the road that was offering that principal a contract. Yet, that principal had had students reading at 7.2, 6.2, ACTs at 12. This principal had very few relationships that had anything to do with moving our students into the 21st century. But yet, her reading program she submitted with every school improvement plan, was the same that she filed the previous year. In that case, she knew the contractor. And once I got wind of that, I took the steps necessary to move her on. And I want to point out, that there was a speaker who... so to

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me... right there, that process needed to be closed. And when we talk about a previous speaker, who talks about the hearings; yes, were held in our community in Humboldt Park, at Clemente. My favorite baseball player, Roberto Clemente, must be turning in his grave, because when we talk about two years of investigations that found very few, if any, substantial findings, two years of state dollars being wasted in that community, when we have such larger needs of crime. And we have the State of Illinois inside that community, I'd take that as a personal offense. The Chicago School board is more than competent enough to oversee their process. To me, I am very, very convinced that (sic-Senate Bill) 652 does the job. And I would ask everyone to hop on board this train, because how many times do we need for accidents to occur before we pull the child out of the way? This is about children, Ladies and Gentlemen, not about political posturing and it's not about the next election. This is about doing the right thing. And, Representative, I think it's a fine piece of legislation. I'm glad I shared with you on this particular Bill."

Speaker Hartke: "The Chair recognizes the Gentleman from Whiteside, Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Chairman (sic-Speaker). Would the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Mitchell, J.: "Representative Currie, first of all, let me commend you for your, extremely, hard work. You are also deserved of a referee shirt in the area of negotiations. One of the things that came up in committee and was a concern to the council for the LSCs, was the fact that we have drawn these regulations, these rules, so tightly that

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there's no room now, at the local level, with the LSCs to have vision in their school improvement plans. Could you address that issue for us?"

Currie: "Sure, I'd be happy to, Representative. It's true, we didn't put the word 'vision' in the statute. But the way I read the standards, that the local school council must use to evaluate the principal: first of all, focus on academic success, academic improvement of the youngsters which I think ought to be the core value that the local school council is addressing in principal selection. In addition, there is specific language about factors of leadership from the principal, involving parents in the community, in improving educational success among the children. And if that isn't vision, I don't know what is. So, my sense is that we've established strong criteria for the council to use in making that determination. But, criteria that focus on academic improvement, but, certainly, focuses well on the leadership skills of the principal in establishing a vision and a strategy for moving that school forward."

Mitchell, J.: "Another area of concern of the LSCs was: Even though we began this process back in the late 80's, that we've had a rush to judgement in this whole development of this particular Bill, Senate Bill 652. Could you just give a quick time line of the number of hours spent, the number of groups that have been involved in the discussions to come to the conclusions that we have in (sic-Senate Bill) 652?"

Currie: "I believe, Representative, there was a lot of discussion while this Bill was in the Senate. As you know, it came to us as a shell Bill. But we began discussions immediately, with all interested parties. We had two hearings before the House Elementary and Secondary Education Committee,

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before the one yesterday. We shared language with all comers, preliminary language, three weeks ago. We met with many of the concerned groups in Chicago, at the Urban League, at the end of April. I, myself, made offers to all comers, please to help me draft the Bill. Because, as I said in my opening remarks, I was concerned that the Bill, as originally constructed, would have given far too much authority to the central board at the expense of the local school councils. I am disappointed that more people did not take me up on my offer. But my view is that we, actually, had a lot more discussion and debate on the provisions of Senate Bill 652 than we, so far, have had over the Governor's Illinois First Program."

Mitchell, J.: "And, one other item. In my recollection, and you can verify this, I don't ever remember you refusing any group, or even any individual, the right to come and voice their concerns, or add to this Bill at any time. Is that correct?"

Currie: "That is, absolutely, correct."

Mitchell: "The other concern that principals have and that the LSC's had and also the Chicago Public Schools has, is the touchy area of expanding tenure in the State of Illinois. And, certainly, it's my... feeling that you have come up with an idea that ensures due process for principals without approaching or crossing that imaginary line and putting them into the area of tenure. Do you feel that this is a proper way of looking at this?"

Currie: "I think that's an apt description. And, I too, was concerned about the original proposal on that score. I think what we have in this final Bill, is first of all, a proposal that has clear standards for the local school council to use, but a good deal of discretion on the part

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of the local school council to make a 'yeah' or 'nay' decision. And it is only when that decision was made on arbitrary and capricious grounds, that the decision can be overturned. So, there is great deference to the local school council as decision maker. There is no right inherent in the principal to a contract renewal. Yet, if there has been a real abuse of power, an arbitrary and capricious decision, there is the opportunity for review. A help to the principal, but also a safety valve, so that the school children are not hurt by virtue of an improper decision at the LSC level."

Mitchell, J.: "Thank you, Representative. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Mitchell, J.: "Representative Currie has gone out of her way to try to reach agreement with as many a groups as possible. When we look at the history of the development of Chicago Public Schools and the reform, it dates back to that time that the LSC's were implemented. They have been a tremendous partner in the reform of Chicago Public Schools. They're like one foot of a giant reform package. The other foot was Paul Vallas and the change that happened, ending in the middle 90's. The two together have traveled this road hand-in-hand and done a tremendous job of reforming the public schools in Chicago. There are going to be bumps in the road. Senate Bill 652 helps to smooth out one of those bumps. It may not be perfect. We may have to tweak this down the road, but at this point I, truly, believe that Representative Currie has come up with a Bill that does give both sides the opportunity to have a voice and to solve the problems that have been caused and keep us moving in the right direction. Representative Currie, I commend



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you and I urge an 'aye' vote."

Speaker Hartke: "Further discussion? Chair recognizes a Lady from Cook, Representative Silva."

Silva: "Will the Sponsor yield?"

Speaker Hartke: "She indicates she will?"

Silva: "I have a couple of questions. One of them is, that in the case where a principal is removed either by request of the LSC or the central administration office, how would this Bill help that?"

Currie: "This Bill does not deal with removal of a principal during the contract term. It only deals with the issue of renewal."

Silva: "So then, what would happen in that scenario?"

Currie: "Whatever happens now, Representative. This Bill makes no changes in the procedure for removal of a principal 'for cause' during the course of a four year contract."

Silva: "So if a principal is removed by either, by request of an LSC, then do they have the ability to proceed to hire somebody else? Because, it doesn't go to arbitration, what happens?"

Currie: "I'm not sure exactly the procedure, but whatever is the current procedure, would continue. So, I believe that if the local, if the local school has asked for a dismissal with cause, I believe that that, that that local school council is then entitled to select a new principal. But whatever, I believe that's the current practice. But whatever the current practice is, is unchanged by this Bill."

Silva: "I guess my next question would be, that if we were looking to make some positive changes, and I'm in agreement with some of the things that did need fixing. I can tell you that, currently, what happens when a principal is

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removed either by request of an LSC in agreement with CPS, it could, it could wind up being nine months, a year, before a permanent principal is assigned to that school. And what happens in that particular case is that, CPS is incurring an additional cost because they have to send out an interim principal and they generally have the removed principal working at the central office. One of the other problems that it pauses is that schools are left in a flux where they really can't make a lot of plans together to begin a new year or to carry out whatever goals and objectives had been set up by the local school council at the beginning. And my question is, something as critical as that, why would we not want to fix it, or work to reform that particular item?"

Currie: "Representative, I would be happy to work on that issue. I did say earlier that I plan to convene some hearings over the summer months to talk about some of the issues in this Bill and there's no reason not to include items that are not in this Bill as appropriate for discussion with an eye to, new legislation in the Fall Veto Session."

Silva: "The other question that I have is related to nonrenewal of a contract or if it's, if it's still in arbitration. Can local school councils continue to proceed and go through the process in interviewing and actually hiring a new principal?"

Currie: "Yes."

Silva: "And what happens to, so that, they in fact can go ahead and hire somebody, what happens if it, if in fact the arbitrator finds that there was no due cause for a principal's firing? What happens when we've already hired a new principal, because that may happen, and then we're left with the arbitrator's decision?"

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Currie: "Well, first of all there's no barrier to the school council going forward. If the arbitrator, however, finds for the principal, and I think that would happen only very, very rarely, then that principal would be reinstated for a two-year period. We adopted time lines in this Bill, however, so that any review, any requests for a review from any party, would have to be filed within 15 days of the renewal decision. Second, the arbitration would have to begin within 45 days and finally, the arbitration would have to conclude within 45 days. So, I believe that there would be ample time for the council to recognize if the reviewer were to find for the principal, that would be the procedure."

Silva: "The other question... that I had, was related to the background check. Could you give us more details, specifically, the rationale and the detail why the background checks are good for Illinois,... Chicago's children?"

Currie: "Currently, the law is that individuals who wish to serve on a local school council must fill out a form, telling whether they'd ever been convicted a variety of drugs, sex, and other felonies. Should they lie on the form, should an individual say 'no' when the answer was 'yes', that individual is not, in fact, eligible to serve. But there is no way, easily, to find out under current law and current practice, whether somebody made a misstatement on that candidate application. This Bill provides that the Chicago Board can do background checks using name, date, and birth and social security number if available, in order to make sure that these people are telling the truth. Secondly, under an Amendment proposed by Representative Giles, this Bill would actually flat out prohibit certain

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sex offenders and certain people who've been convicted of drug felonies within the last ten years, from serving on a local school council. And the argument is, that sexual predators are not people who ought to be in school buildings where our children are learning and that drug dealers are not a good example for children in their formative years. So, as I say, this Bill now includes a flat out prohibition against service by certain convicted felons and enables the Chicago Board of Education to check the backgrounds of all successful local school council members to make sure that they were accurate in their description of their criminal past."

Silva: "Are there other groups of employees, volunteers, that go through similar procedures?"

Currie: "Yes, there are. I believe ... under... under board policy, all volunteers are subject to these procedures and I believe that all employees are as well."

Silva: "The last question I had was just related to process. I think that local, when local school reform was first initiated in the State of Illinois, one of the things that was touted about was that it was, indeed, a partnership, a process that included the CPS central administration, parents, teachers and principals. In... In the initiation of these particular changes, to the reform Bill, initially was that process in spirit of cooperation, part of this Bill coming to Springfield?"

Currie: "Representative, I wish I could easily and cheerfully answer yes. I did extend many ... offers, many requests for participation in the drafting of this Bill I didn't get very many takers. However, many people did come to the House Elementary and Secondary Education Committee on an occasion when we discussed the concepts in this Bill

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several weeks ago it was toward the end of April when we offered a first version of language for Senate Bill 652 and there was a meeting, as I say, at the Chicago Urban League toward the end of April to which many of the reform organizations did come. Although, I don't believe that it was a very substantive discussion and so we've had several substantial hearings in the House Elementary and Secondary Education Committee, including the third one yesterday."

Silva: "I do understand that once the Bill was filed, that we did engage on some level, in terms of process. But my question had to do more, before the Bill was actually introduced, if it in fact, broke with that faith, good-faith effort as it relates to, we're partners, all of us are here introducing these changes."

Currie: "And I can't answer the background on that because this came to me as a Senate Bill and I don't know exactly what all went into it, in the beginning, in that chamber. But I can tell you that the contents of Senate Bill 652 today, are far different from those that were proposed by the central administration when this Bill was first introduced."

Silva: "And I commend some of the work and hopefully, the next time we propose changes, hopefully, we will think about that third partner, the local school councils and engage them in dialogue before we get to the Legislature. Because as you know, some of the things, for example, the evaluation of principals, that's something that certainly could have been worked on without coming to the Legislature to do that. Those are kind of day-to-day operations that could have been done over the tenure period as a matter of public policy. We didn't need to legislate that. Thank you."

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Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black. He declines recognition. The Chair recognizes the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Representative ..."

Speaker Hartke: "Could I... excuse me, Ladies and Gentlemen, could we give the Lady some attention please."

Cowlshaw: "Representative Barbara Currie and Senator Art Berman have worked long, hard, and very effectively to develop what is before us in Senate Bill 652. In an editorial in the Chicago Tribune earlier this week, it is said that, 'a school principal is generally regarded as the most vitally important of any individual in any school building.' And that is why the issue with which Representative Currie and Senator Berman have had to grapple has been so contentious. The editorial goes on to say, 'that although, almost none of the many participants in the discussions that produced this legislation, is in fact content with the outcome, that is the mark of a perfect compromise. Everybody's a little bit dissatisfied, but everybody is a little bit satisfied.' I think the perfect compromise in this case, is represented by Senate Bill 652. The Tribune concludes its editorial by saying, 'this legislation makes good sense. It ought to become law.' I agree. I urge everyone to vote for this legislation, not just because it's endorsed by the Tribune or it's good compromise, but because we all have faced problems in our own district or our own community, that we worked out ourselves with the people who live there, the people who live with that problem and we have always respected one another's right to do that and be supported by his or her colleagues on both sides of the aisle. This

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is a Chicago Public Schools issue. It was resolved by Chicagoans. We should support it."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Jones, Lou Jones."

Jones, Lou: "Thank you Mr. Chairman (sic-Speaker), I move the previous question."

Speaker Hartke: "The Motion is, 'Shall the previous question be put?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the previous question is put. Representative Currie to close."

Currie: "Thank you, Speaker. I think we've had a full discussion of the specifics in this Bill. It is about the children. It is about a procedure that will make sure that the principal decision by the local school council is based on fair grounds, is based on vision, is based on educational criteria, not personality, not local politics, not items that get in the way of the success of our youngsters. I hope you will support this Bill. I think it will provide the appropriate safety valve, the appropriate correction in those vary rare instances when a local school council is not making decisions based on the best educational outcomes for our young. I appreciate your support. I hope you'll vote 'yes'."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #...' Third Reading. The question is, 'Shall the House pass Senate Bill 652?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 110 Members voting 'yes', 4 people voting 'no', and 3 people voting 'present'."

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And Senate Bill 652 is hereby declared passed."

Speaker Hartke: "On page 4 of the Regular Calendar, appears Senate Bill 556. Representative Woolard. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 556, the Bill has been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #4, offered by Representative Jerry Mitchell, has been approved for consideration."

Speaker Hartke: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I move for the adoption of Senate Bill #4... House Bill... House Amendment #4. It's a... basically a technical Amendment that changed one word when it comes to the way we describe the certificates in the new recertification Bill for the State of Illinois. In the areas of certifications and what, those certifications will be titled. We have the areas of 'valid and active' which are teachers that are actively teaching and in need of going through the recertification process. Another category we have was determined to be 'valid and inactive' which simply means that as many of the retired people or those that are doing things other than... than teaching in the teaching profession, but wanted to keep their certificate valid. We had some people that had some problems with the word 'inactive'. We have come up with a compromise that everyone agrees with and that is 'valid and exempt' rather than 'valid and inactive'. That's all this Amendment does. And I urge an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #4?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted."



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Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 556, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think without question everyone has heard about the Teacher Certification Bill. The efforts of many from the Senate, as well as the House, in trying to come up with compromise language that would accommodate all of those people who had concerns. I think that we probably have gotten to a point that you always dream about, as a Legislator, and sometimes never have the opportunity to participate in, a kind of a... an agreement that allows each and every person who's been actively involved in any way in this process to say that this Bill addresses their concerns. You know, I think, the list of proponents on this issue is probably one that will be... everyone will be wanting to accommodate and accomplish the same kind of a list in the future. There's a few things that we would like to specifically address in the legislation and my cosponsor and who was equally just as much involved in this process from day one as I, Jerry Mitchell. If I could ask the Chair to open his speak... light and let us converse for a second, we'll get something out of the way."

Speaker Hartke: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Representative Woolard, thank you for that introduction. I have a few questions that I would like to read to you, if you could answer, to give some legislative intent. First of all, is the legislative intender... se... intent of Senate... Senate

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Bill 556, to provide technical assistance and monitoring of teachers' recertification?"

Woolard: "Yes, the intent of this is to assist teachers in the attempt to ensure that teachers have every opportunity to reach the standard set by the Illinois Professional Teaching Standards and the Illinois Content Area Standards."

Mitchell, J.: "What is the legislative intent regarding the rule development process for teacher certificate renewal?"

Woolard: "The legislative intent regarding the rule development is set down by joint work of the ISBE and the IEA, IFT task force on the professional development units. The ISBE will be responsible for all other rule development... all rules will be subject to the approval of JCAR."

Mitchell, J.: "Could you define the words... the word 'actions' as used in the work of a local professional development committee?"

Woolard: "In this case, the definition of 'action'... 'the committee action is broader than formal action which is proving of disapproved... or disapproving plans and recommending the certificates for renewed.' It all... also includes informal action such as, 'giving advice on certain plans, helping teachers to develop plans and letting teachers know if certain programs fall under acceptable activities.' These are basically the ancillary (sic-ancillary)duties... ancillary duties of local committees to help teachers develop acceptable plans."

Mitchell, J.: "Are the local professional development committee and the regional committee compositions absolute and restricted to the numbers in the legislation?"

Woolard: "No. The legislative intent is to set minimums. The actual numbers can vary. However, in all cases ratio of

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professional teachers to other members shall be maintained."

Mitchell, J.: "Thank you. Mr..."

Woolard: "It was read into the record for legislative intent, so there'll be no misunderstanding as to where we're headed. Be willing to try and answer any questions that might be forthcoming. I might call on my compadre, Jerry Mitchell, to help if they get real tough."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise as a Member of the Elementary Secondary Education Committee and I'd really like to commend that committee for the many hours they spent listening to the business community, listening to the unions' interests and listening to the educators. And with all of that we came up, finally, with some concurrence in what should occur in reference to teacher certification in the State of Illinois. To the Bill's Sponsors, I commend them and to the Members of the committee, I commend you. This is a very good piece of legislation and I think we should all support it. We should vote 'aye'. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, Representative Woolard, to close."

Woolard: "Let me just say, that without question, there has been a lot of work gone into this. I think without further ado we would just encourage each and every one of you to help us make our kids be better as they prepare themselves for life. Better teachers make better students, make better human beings. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 556?' All those in favor will signify by voting

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'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 556, there were 115 Members voting 'yes', 2 people voting 'no' and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On the Regular Calendar appears House Bill 1959. Representative Stroger. Mr. Stroger."

Stroger: "Thank you, Mr. Speaker. House Bill 1959 I move to concur with the Senate Amendments 1 and 3. The Amendments clarified some of the language. Basically, the Amendment says in the Bill that, 'you cannot use state funds to promote, assist, or deter union organizing or to otherwise seek to influence the decision of any of its employees to be represented, or not represented by a labor organization and not to require or prohibit the attendance of employees at any meetings related to union representation and not to schedule or hold meetings related to union representation during employees work time or in work areas. And to allow a labor organization the same opportunity to communicate with employees as, is used by the contractor or the grantee, including the right to have access to the premises of the contractor or grantee, post notices, distribute literature, and use the premises of the employer to hold meetings with employees.' And I will answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross."

Cross: "Thank you, Mr. Speaker. Will the Sponsor yield? Todd, I, we started the debate this early, still have some questions the other day and ... it's my understanding there are variety of opponents to this Bill from the state

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chamber to some other groups. Has there been an attempt to work out any of this opposition?"

Stroger: "I believe that happened in the Senate."

Cross: "Well, did they attempt to work it out or...?"

Stroger: "Yes, they did change the language some to ... state that corporate funds could be used, just not state funds, if you wish to stop a union from coming in and promote your own business."

Cross: "It's my..., it's my understanding under this Bill, that anybody that receives state money cannot communicate their ... cannot communicate with their employees during work hours, I guess with respect to employment issues, with respect to employment issues. Is that correct?"

Stroger: "For ... facilities that deal with disabled and mentally handicapped."

Cross: "I can't hear a thing that's going on, Speaker..."

Speaker Hartke: "Ladies and Gentlemen."

Cross: "I don't have any idea, what, with all due respect to the Sponsor of the Bill."

Speaker Hartke: "Ladies and Gentlemen, this is a very, very important piece of legislation. Would you be quiet? Give some quiet in the chamber, please?"

Cross: "Todd, is that the, is that the case that you can't use ..."

Stroger: "For... mentally disabled facilities and ... mentally handicapped and disabled facilities."

Cross: "Only?"

Stroger: "Only."

Cross: "So we're talking about state agencies that receive state funding?"

Stroger: "Correct."

Cross: "And what are the prohibitions with that state funding?"

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Stroger: "Prohibitions are, that you cannot, basically, you cannot use the state funds to to... work against the union. So if your employees want to unionize, you can't use state funds to make up booklets saying why they shouldn't or have meetings during the day when they should be getting paid for doing there job instead of meeting. But if they want to have private funds that they use, they can use them after work hours, have picnics, have a big banquet, whatever they want, showing why there shouldn't be a union."

Cross: "How do you, how do you just, how do you put, how do you know whether, the agency gets the money, how do you, and you think that there's a violation? How do you say that particular money that you got from the state was used for lobbying and that wasn't? How do you get across that barrier, that hurdle to prove that?"

Stroger: "I believe that would be one of the state departments that would make that determination."

Cross: "Todd, I didn't hear your answer, I'm sorry."

Stroger: "Hold on, Tom. I think I can give you even a better answer in a second."

Cross: "It just seems real..."

Stroger: "Tom, Tom, repeat that question for me, would you?"

Cross: "I'm a state, an agency that receives state money and I'm sure I, I don't know how these agencies, you know, where they put their money or how they do their accounting, but you want to accuse them of violating your Bill. How do you determine whether or not, the state money was used in violation of your Bill? I mean what... how do we, it just seems like it's going to get very confusing or the potential to be, is there to be very confusing."

Stroger: "Tom, if there is a complaint, they have to submit to

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the Department of Human Services an account of how the state money was spent."

Cross: "And if they don't do that, we're going to fine them \$500 a day? If I read this correctly, we're going to fine community not-for-profit providers, \$500 for missing a reporting deadline. It seems like, and I'm sure we want to be careful about how we utilize money, but why do we want to be fining not-for-profit organizations \$500 a day? When they could be utilizing that money to provide services?"

Stroger: "From the language it seems that ... the \$500 would only be ... if the department found that they had violated the Act."

Cross: "Well, maybe so, but once again, why do we want to take away money that could be used to provide services?"

Stroger: "I think we'd like them to obey the law."

Cross: "I don't think anyone wants to quarrel with that, but we spend ... all of the sudden this goes on for a week to ten days and we're ... \$5000 fine, I would think that's a significant hit ... so a not-for-profit organization."

Stroger: "That's only, that's only, if they're found guilty, I believe and they don't ... if they're found guilty of a violation and they don't change their behavior, I believe."

Cross: "Todd, who's going to enforce the ... provisions where the... when you want to start fining people \$500 a day?"

Stroger: "If they have been found guilty of a violation, the Attorney General would seek the ... the \$500 fine."

Cross: "It ... let's stay on this fine area a little bit. Let's say that someone is found guilty, for the lack of a better term, and there's a \$2000 fine. Where does that fine money go?" In my reading of the Bill, it looks like part of it goes to the state and part of it goes to the employee that files the grievances. It sure seems like we're setting up a

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scenario where employees are going to file a lot of grievance."

Stroger: "Well, there would only be the fine, if they were found guilty. And you are correct, language says that, 'it would be distributed equally between the State of Illinois...'"

Cross: "Todd, I'm sorry I can't hear you."

Stroger: "There would only be a fine if they were found guilty and it distributed between the State of Illinois and private plaintiffs, if there were any. But if there was a fine, I would expect them to stop breaking the law and it would only reach the one day fine. And I believe if they did it on the same day, there would be no fine. So there would be no money involved."

Cross: "Well, why don't we just send all the money back into the state or give it back to the state if we're fining them to where it came from. Why ... I mean, if the bottom line here is to provide services, I mean we're talking about not-for-profit organizations that get state money or at least in some cases. Why do we want to take money out of the system? Why do we want to take money away from the service area? That seems counter productive to what we're after. And I don't ... unless I'm missing something here."

Stroger: "Tom, like a lot of whistle-blower laws, we're are trying to encourage enforcement of this law."

Cross: "Pardon me?"

Stroger: "Like a lot of whistle-blower laws, we're trying to encourage enforcement of this law."

Cross: "I'm not quarreling with wanting to enforce laws. I'm quarreling with taking away money and resources to provide services for those who need them. Now..."

Stroger: "That's exactly why we have this Bill. Thank you for that argument."



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Cross: "There are, Todd, there are many at least on our side and I suspect on your side, that question the... what this does to the Federal Law, especially, specifically the National Labor Relations Act. And that seems to really be the guiding piece of legislation that we ought to be looking at and it seems like you have some conflict between this law and the ... National Labor Relations Act."

Stroger: "Tom, there is a Boston Harbor decision of the Supreme Court that says that this would not violate Federal Labor Law."

Cross: "Wait, whose, whose is that?"

Stroger: "Boston Harbor, that's the name of the case. Boston Harbor."

Speaker Hartke: "Further discussion?"

Cross: "Well, sorry I'll stop if we're out of time. I... I know there are some others with their lights on. I ... I'll defer to others, Mr. Speaker."

Speaker Hartke: "Okay. The Chair recognizes the Lady from Lake, Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have before me a letter from the Lake County Health Department, where they provide millions of dollars in services that are being discussed in regard to these new arrangements of neutrality. And in it, this letter states that the Illinois Department of Labor has indicated that in their opinion this Bill will violate their role of neutrality. Representative, could you comment on that please?"

Stroger: "I believe they are wrong. And I, I... have not heard anything of that nature."

Moore, A.: "This is from the Illinois... have you talked to the Illinois Department of Labor?"

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Stroger: "They haven't talked to me."

Moore, A.: "And... And the rights of both employees and employers are spelled out in the National Labor Relations Act, why do you think it is necessary to take it further?"

Stroger: "Well, we've had problems in this area. So ... like when we have problems in a lot of areas we make a Bill to try to address it."

Moore, A.: "And the, and that problem is employers talking to their employ... employees?"

Stroger: "No. The problem is employees taking their, employers taking their employees to classes during working hours, to have classes to show them why they shouldn't be in the union when they should, in fact, be doing the services for the patients."

Moore, A.: "They're taking, they're providing classes?"

Stroger: "Yes, in which you get paid to sit there and listen to them talk."

Moore, A.: "You mean they're having a discussion with their employers? The employer is talking with the employee in a group."

Stroger: "No, a discussion, no, no, a class. You have to be there. And you get paid, this is during working hours. And you get paid to hear them tell you why you shouldn't join the union."

Moore, A.: "And is this an extens... have we had extensive complaints? How many?"

Stroger: "Well, we've had enough complaints where we had to introduce a Bill."

Moore, A.: "Is that... Is that the usual two phone calls that we each get?"

Stroger: "No, actually, AFSCME has been trying to unionize certain places and certain owners have been fighting it and

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during this fight they will hold classes during the day, have their employers, employees come in and discuss why they shouldn't join the union, instead of going out and doing their normal, regular services that they are getting paid for."

Moore, A.: "To the Bill."

Speaker Hartke: "To the Bill."

Moore, A.: "Ladies and Gentlemen of the House, I believe that employers should have the right to be able to speak to their employees about issues of importance. I, also, think that the union should be able to have access and answer all questions, also. But to try and change that relationship, I think, puts an unfair balance out into the workplace. I do not think this is a Bill that will be productive and I would urge a 'no' vote."

Speaker Hartke: "This Bill is on Standard Debate. There are seven people still seeking recognition. Chair recognizes Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Concurrence Motion. If you take a look at what this measure is all about, it's really very simple. We have contractors in the State of Illinois, folks who are supposed to provide services to the mentally ill or developmentally disabled who sort of take a break from providing those services with state tax dollars to fight the efforts of some to be in labor unions. Now the law allows people to be in labor unions, so I don't understand why anyone would be in opposition to this proposal. Should we really allow these folks to use state tax dollars to fight off labor unions, to keep people from joining labor unions, to keep them from organizing, to to... have a better way of life? Those of you who may have voted

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against this when it left the House, because you thought it was too broad now have a way to vote for it. The Senate proposal narrowed it. The Senate proposal says, 'Well, the people that get this money can fight union representation. They can try to stop people from joining unions if they use their own money. If they use private money. Just so long as they don't use the state taxpayers' money.' Now, I don't think any of us in this chamber should be about the business of allowing people we give money to, people that have contracted to the State of Illinois to use our money for union business. We wouldn't allow the unions to do it either. And so, Ladies and Gentlemen, the Amendment that was added in the Senate narrows the scope. It says, 'Go ahead and do it if you want, go ahead and do it if you want. But for goodness sakes don't take state tax dollars to keep people from from availing themselves of the rights they have under the laws of the State of Illinois by joining labor unions.' These contractors often times have created atmospheres of fear. And have made it more difficult for the workers at these facilities to do their work. They should have the right to have their meetings. They should have the right to talk this through. But they... companies should not have the right to use our money to intimidate them into not joining labor unions. When we do that, if we do that, if we allow them to continue that by voting against this Concurrence Motion, we will have done a couple of things. First, we'll be wasting state taxpayers' dollars, which is certainly inappropriate. But second, we'll allow the workers in these facilities that are providing MH and DD services to have they're attention deflected from what their at work for. Because their employers are using our tax dollars to help deflect

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that. Our responsibility is twofold here. One, to protect state taxpayers' dollars. And two, to assure that the workers at these facilities are using all of their time to work on the services they provide to MH people and DD people. If we fail to vote for this Concurrence Motion, we'll be failing the people who are supposed to be getting the benefit of these dollars and the benefit of these services. Please vote 'yes' for this good Bill. The Senate narrowed the scope. That narrowing should allow all of us to be able to vote to protect workers rights and keep workers doing what they're supposed to do, which is to provide services to the truly needy in the State of Illinois at these facilities."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this Bill has many problems. One of them being, that this interferes with the Federal Law under the National Labor Relations Act. If this Bill passes and is signed into law, it would violate the First Amendment of the United States Constitution and would preempt, would be preempting Federal Law. This country's labor policy expressed in the National Labor Relations Act, 'the nation's policy encourages and promotes robust debate on the events of a union election.' Specifically, Section 8(c) of the Act, commonly referred to as the Free Speech Provision states and I'll quote, 'The expression of a view, argument, or opinion and the dissemination thereof, within, in whether in writing, printed, graphic, or visual form, shall not constitute or be evidence of an unfair Labor Act, Practice Act, under any of the provisions of this subchapter, if such expression contains no threat of

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reprisal of force or promise of benefits.' The Sponsor may stand there and say that this is not unconstitutional, but the fact of the matter, it is. Ladies and Gentlemen, if I could have the attention of the Body. Mr. Speaker."

Speaker Hartke: "The Gentleman's asked for... for quiet in the chamber."

Parke: "This will... will affect how we provide services to, especially, to the developmentally disabled. Let me... let me quote to you all the organizations that are opposed to this. And this is a cross section of the organizations of the State of Illinois: the United Cerebral Palsy Organization, the Department of Human Services, the Department of Labor, the Illinois Chamber of Commerce, the State Chamber, the Association of Rehabilitation Facilities, Professional Health Care System, the Illinois Health Care Association, ARC of Illinois, Clearbrook Services, Ray Graham Association, Little Friends Incorporated, Avenues to Independence, Mark Center, Association of Independent Development, SPARC, TCRC Inc., PARC, Children's Hope and Aid Society of Illinois, Sedquent Services, Catholic Charities, Community Mental Health Authority, Lutheran Services of Illinois and Community Behavioral Health Care Association of Illinois. Ladies and Gentlemen, this has major flaws in it. Regardless of what the Sponsor tries to convince you of, all of these groups would not come out and oppose to this legislation if it didn't affect the most vulnerable people. In the name of trying to unionize this interferes with the Constitution of the United States. I hope that if it passes that it's challenged in the courts and it is ruled unconstitutional. And I would ask the Body to vote 'no' on this legislation and anybody who votes for this ought to be able to go to

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the CILs and different organizations in this state when they start having problems with this and explain to them why they voted for it."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Hoffman: "Yeah, Representative, it's my understanding that, actually, this Concurrence Motion, the Senate Amendments actually, would lessen the scope of what we originally passed out... out of here. Is that right?"

Stroger: "That's correct."

Hoffman: "Originally, you couldn't use... if you received any state dollars, you couldn't use them to influence a union election, right?"

Stroger: "Correct."

Hoffman: "And what this does now, is it limits it to say only the state dollars you receive can... cannot be utilize, or cannot be utilized to influence a union election."

Stroger: "Correct"

Hoffman: "And to the previous speakers who talked about constitutionality, I have a legal memorandum from attorneys at law, Cornfield and Feldman, that indicates that the National Labor Relations Act does indeed preempt states efforts to regulate labor relations. However, when the state acts as a consumer, which it is in this case, it does here as in... it did in the Boston Harbor decision that I believe that was talked about earlier. It may, indeed, impose conditions that affect labor relations in order to further its goals as a consumer. That's what this does. What we're saying, is the state gives money to these institutions to to buy services, to pay for services,

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they're a consumer. To use some willy nilly constitutional argument that has clearly been ruled on by the court and to be constitutional, I think this truly begs a question. What we're talking about here, is saying that we will not use state funds in order to... in order to be used against people when they're trying to decide whether they want to organize. We allow freedom to organize in this state. We promote collective bargaining in this state. We outlaw unfair labor practices in this state. We support the right to strike in this state. So why in the world would we want to say that you then can use state money in order to prohibit organization? Why would we say you can use state money in order to dis... disrupt direct treatment to people? Why would we say that you can use state funds in order for management to interfere in legitimate decisions of elections? And why would we want to say that we're not going to allow people the freedom to organize and allow state monies to, to influence that decision. I think it's very clear and all the arguments I understand. But, it's very clear that we have for years had a policy in this state, that we promote collective bargaining, we promote organization. So why in the world would we want to allow state money to be used to not promote it? I ask for an 'aye' vote."

Speaker Hartke: "The Chair recognizes the Gentleman from Madison, Representative Davis."

Davis, S: "Yes, thank you, Speaker. Would the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Davis, S.: "Yes, Representative Stroger, I... I want to get back to the... the penalty phase of the Bill. Could you explain to me one more time what the penalty phase and what the fines are for noncompliance?"



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Stroger: "Well, the... the Act states that the... , not limited to, you can be fined a thousand dollars for a violation. And if there is no remedy for that violation, you can be fined \$500 for every day that that violation occurs. And this... the monetary amount does not have to happen, this is only if it is deemed necessary and violations keep occurring."

Davis, S.: "And there was some concern expressed earlier about the fine and the per day limit, the per day fine of \$500. However, once they are found to be in noncompliance and are notified of that there should be no... absolutely no reason why they shouldn't comply with the finding. Therefore, if they would just comply with the law they wouldn't be fined \$500 a day. Is that correct?"

Stroger: "That's correct. Right after they comply, there will be no more fines."

Davis, S.: "To the Bill, Mr. Speaker, Ladies and Gentlemen of the House. I can tell you from personal experience we have a similar situation in Madison County. It's a private mental health facility that has had nothing but problems with the AFSCME Union. AFSCME has been trying to collectively bargain with this facility in good faith for at least the last four or five years. And, as a result of the people who were in charge of this facility, this Bill is a direct result of their actions. What is happening is, they are taking state paid dollars and to add insult to injury what they are doing, they are bringing patients from out-of-state, bringing them into the State of Illinois and they are becoming the guardians of these patients and these people aren't even from the State of Illinois and they are receiving public aid dollars. And they're using these public aid dollars to work against bona fide union

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activities, people who are legally, have legally voted to have a union in their facility. This company has done nothing but put road block, upon road block, upon road block, upon the working people in our district. And this Bill goes a long way to tell these mental health providers that the people who are in the facilities as well as the workers are the ones who are important, not the people who are collecting the dollars from the State of Illinois. I would urge everybody in this Body to give this Concurrence an 'aye' vote. It's very much needed."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Peoria, Representative Leitch. Please give the speaker your attention. Please."

Leitch: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. This in my view is one of the worst Bills that we've seen this Session. There are many community service providers. Who serve and work hard in our communities, and this Bill will result in the unionization of all of our community service providers and I think that that is something that will be a great detriment to the services at the, in our communities and I want to alert everyone in the chamber to this Bill and to what I view as very, very detrimental provisions that will tilt the scale in favor of unionization of our community service providers and just be very aware of this bad Bill. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Do we have any more Bills on Standard Debate tonight?"

Speaker Hartke: "I hope not."

Black: "I certainly hope so. Would the Sponsor yield?"

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Speaker Hartke: "He indicates he will."

Black: "Representative, I need to clarify something that was said earlier. Very important to me, personally. Who, in an institution that we're talking about, who's the more... who's the most important ingredient in that institution? Is it the disabled person, or is it the worker, or is it the owner of the facility? Who's the most important person in that equation?"

Stroger: "I would think it would be the disabled person."

Black: "I absolutely agree with you a hundred percent. I hope we, whatever we do, we don't lose sight of the fact, that the most important person in this equation is the patient in the institution, the day care home, whatever it is. Hope we don't lose sight of that fact. Question in your opinion, if the Bill violates the National Labor Relations Board, what will take place, should this Bill become law?"

Stroger: "It would probably be declared unconstitutional."

Black: "I would agree. If, as somebody said earlier, this Bill violates one or more of the Amendments to the Bill of Rights, what will probably happen to the Bill?"

Stroger: "I believe it would be declared unconstitutional."

Black: "I agree. So wouldn't it be safe to assume that if we just toned down the heat of the rhetoric, if there is an, if there is an inherent flaw in this Bill, I would expect a court challenge? And if those flaws are, in fact, found to be real, the Bill will be stricken, will it not?"

Stroger: "Yes, it will."

Black: "Sounds simple to me. Thank you, Representative."

Speaker Hartke: "Final person seeking recognition is Representative Scott."

Scott: "Thank... Thank you very much, Mr. Speaker. To the Bill. You know, it seems like it's a very easy, easy answer here

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at the end. We get bombarded, rightfully so, every year by service providers who tell us that the amounts that we pay for the services to take care of the developmentally disabled and other people who, who live in these facilities is inadequate. And they're right. And so, to me, this comes down to one simple premise. Why in the world would we want these institutions, or these places, to take money that we provide inadequately so, for taking care of disabled people and to use that to thwart employees who are trying to pursue a lawful purpose? It makes absolutely no sense to allow that money to be diverted in that matter. This Bill makes sense. The Senate Amendments actually make it narrower and make it a little bit easier to pass, make it actually a better Bill. And all we're saying, the bottom line is why in the world would we want service providers to take money that's going to clients, that the last Representative accurately pointed out, the most important people at these facilities and give that money to a campaign to thwart another lawful purpose for their employees? Makes no sense, it's a good Bill, vote 'yes'."

Speaker Hartke: "Representative Stroger to close."

Stroger: "I believe the debate said it all. The Senate provisions help narrow the scope to make sure that, if they would like to use private funds, they may use private funds, but they cannot use state funds and they cannot have workers during working time in classes, when they should be doing their job, and I would ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1 and 3 to House Bill 1959? All those... this is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr.

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Clerk, take the record. On this question, there are 78 Members voting 'yes', 39 Members voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendments #1 and 3 to Senate Bill 1959. And this Bill having received a Constitutional Majority is hereby declared passed. There will be a committee schedule being distributed at the present time. It is the Chair's intention to work till about 6:30 and then adjourn this evening. So, your dinner plans should be, probably made after that. Chair recognizes Representative Stephens."

Stephens: "Thank you, Mr. Speaker. If you're going to be working till 6:30, is that what you said?"

Speaker Hartke: "That's what I indicated."

Stephens: "What are we going to be doing?"

Speaker Hartke: "I hope you would work with me to get done by that time."

Stephens: "On behalf of your district and mine, knowing what's about to occur, I'm with you, Sir."

Speaker Hartke: "Okay. On page 2 of the Calendar, appears House... Senate Bill 602. Representative Morrow. Third Reading. Mr. Clerk, read the Bill. Out of the record. Senate Bill 603. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 603, a Bill for an Act making appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 603 is the budget for the Rural Bond Bank. It is at the Governor's introduced level. And I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 603?' All those in favor signify by voting

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'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 603, there were 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill having received the Constitutional Majority, is hereby declared passed. Senate Bill 610. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 610, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Mr. Speaker, could you take this out of the record momentarily?"

Speaker Hartke: "Out of the record. Senate Bill 611. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 611, a Bill for an Act making appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 611 is the budget for the Department of Financial Institutions. It's at the Governor's introduced level. And I urge your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 611?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does pass Senate Bill 611. Senate Bill 610. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 610, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

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Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 610 is the Department of Professional Regulations budget at the Governor's introduced level. I urge your support."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 610?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does pass Senate Bill 610. Senate Bill 612, Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 612, a Bill for an Act making appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 610 (sic-SB612) is the Office of Banks and Real Estate Budget. It's at the Governor's introduced level, I urge your support."

Speaker Hartke: "Is there any discussion? Seeing that none, the question is, 'Shall the House... Mr. Skinner, you have a question?'"

Skinner: "Well, there's some Members on our side of the aisle that are mildly restive that no numbers are being given. Just vague references to the Governor's introduced level. I wonder if the presenters could tell us how much the budget is up over last year, as well as, what the Governor's introduced level is, just to give us a frame of reference? I mean, is it billions or millions or tens of

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thousands, things like that?"

Speaker Hartke: "Mr. Schoenberg, would you answer Mr. Dunn's questions?"

Schoenberg: "I'd be happy to address that request. The Governor's introduced level for the Office of Banks and Real Estate is \$26,384,500. Mr. Skinner, this reflects a \$1,094,900 or 4.33 increase over the FY99 estimated expenditures. I'd be happy to answer any further questions that you might have.

Speaker Hartke: "Mr. Skinner."

Skinner: "That's much better, thank you."

Schoenberg: "Mr. Skinner, having voted on the prevailing side, are you suggesting we go back to the other ones now, too?"

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 612?' All those in favor signify by saying 'yes', voting 'yes'... those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 617, Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 617, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 617 is the Governor's introduced level for the Civil Service Commission of \$419,900. This represents a 8.36% increase or a total of \$32,400. I urge your support for this budget."

Speaker Hartke: "Is there any discussion? Seeing that no one is



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seeking recognition, the question is, 'Shall the House pass Senate Bill 617?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 629, Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 629, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 629 is a vehicle Bill for the IEPA Brownfields' Grant Program. I urge your support for Senate Bill 629."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 629?' Those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 630, Mr. Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 630, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 630 is a vehicle Bill for the

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Department of Commerce and Community Affairs. I urge your support."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 630?' All those in favor, all those in favor will signify by voting 'yes'; those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this, on this question, there are 117 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does pass Senate Bill 630. And this Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 602, Representative Morrow. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 602, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 602 is the budget for the Prairie State 2000 Authority. The appropriation request by the Governor was \$6,485,800. This is a change of, an increase of \$2,307,100; a change of 55%. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 602?' Those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 117 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 605, Representative

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Morrow. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 605, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 605 is the budget of the Illinois State Police. The FY2000 request is \$324,173,300. This is a change over FY99 of \$24,015,600 for an 8% increase. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Black: "Representative, is... did the Senate put an Amendment on about the purchase of new automobiles for the State Police?"

Morrow: "Yes. The Senate put an... an Amendment on... well, first Representative Black, they cut \$4,154,000 for the lease purchase of 500 new cars. They added an Amendment of \$6,186,000 for the purchase, not lease, but for the purchase of 300 new cars."

Black: "Of 300?"

Morrow: "Three hundred new cars."

Black: "All right. The reason I ask, I have a, I have a personal interest in this and I don't remember the Roll Call. But, three or four years ago I passed what was called 'Operation Kick Start', modeled after the State of Missouri's program, where we appropriate money to the State Police. They then trade in cars on a yearly basis and eventually we get out of having to do this. And it's worked very well in the State of Missouri, where they simply trade in 1/3 of their

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fleet every year, keep the money, don't have to come back for capital dollars. Now, that law has passed and signed into law and at some point, and I know it isn't you, I would hope that the Bureau of the Budget and whoever decides not to implement that law could explain to me why we pass a law to take care of it so we don't constantly have to dip into our capital dollars and its... the law is not being followed. I'm... I'm just about to the point where I'll get somebody to file a writ of mandamus, because we're not following the law that we passed three or four years ago. And I know, I think you supported the law and I... I just raise the question because I, I try to ride along with the State Police whenever I get permission. The last time I did a ride along, as I recall, the State Police vehicle had about 185,000 miles on it and the trooper said, 'Now, we aren't gonna do any high speed pursuits with you in the car, but it wouldn't do any good anyway, because there's a valve burned out and I probably could only go about 75 or 80.' And that's where I got interested in this. We... we have road trooper cars that are too high mileage. And if we have problems somewhere that all the new cars end up at the armory then you and I can fix that. But, I think road trooper cars, that's their office, that's what they have to do to do their job, and I hope at some point we can get the House and Senate together so that we can do an orderly transition and put our state troopers in vehicles that aren't about to fall apart. And I appreciate your indulgence. Thank you very much."

Morrow: "Representative Black, I've been informed that the State Police say that all new cars purchased will be used for field troopers."

Speaker Hartke: "Further discussion? Seeing that no one is

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seeking recognition, the question is, 'Shall the House pass Senate Bill 605?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, there were 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 607, Representative Morrow."

Clerk Rossi: "Senate Bill 607, a Bill for an Act making appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 607 is the budget of the Law Enforcement Training Board. It's at the Governor's introduced level of \$12,581,500. This is a change from FY99 of \$826,000 for an increase of 7.03%. Be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 607?' All those in favor will signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, there were 117 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 608?"

Clerk Rossi: "Senate Bill 608 is on the Order of Senate Bills Third Reading."

Speaker Hartke: "Place that Bill on Second Reading for the purposes of an Amendment. Senate Bill 595, Monique Davis.

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Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 595, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Davis. Representative Davis."

Davis, M: "Mr. Speaker, Senate Bill 595 is the budget for the Deaf and Hard of Hearing Commission. And their purpose is to make available interpreters, referral services. This commission provides technical assistance and training to enhance public and private programs for the deaf and hard of hearing. Their budget is \$511,000 and we just ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 595?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 595, there were 116 Members voting 'yes', and 0 voting 'no' and 0 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. The Chair recognizes the Gentleman from Cook, Mr. Murphy. For what reason do you seek recognition?"

Murphy: "Announcement, Mr. Speaker. Personnel and Pension will meet tomorrow morning at 9:30 in Room 118, 9:30 in Room 118, Personnel and Pension."

Speaker Hartke: "Thank you for that announcement. On Supplemental Calendar #1 appears House Bill 2038, Representative Brosnahan. Senate Amendments #1, and 2."

Brosnahan: "Thank you, Mr. Speaker. I'd move to concur on Senate Amendments #1 and #2 to House Bill 2038. This is just clarifying language from the Senate. This Bill deals with

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the underlying Bill, deals with laboratory reports from the Illinois State Police. It would allow them when their using the prosecution of DUI cases or reckless homicide cases, or statutory summary suspension cases, to admitted a prima facie evidence if certain requirements are met. And again, the Senate Amendments just clarify the language up. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Durkin."

Durkin: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Durkin: "Representative, these types of reports, would they have the same effect as a certified record?"

Brosnahan: "Yes, and that's the... the idea for the Bill."

Durkin: "Okay. So, let's say there is a drug or blood report which comes back from State Police, instead of bringing in that person who, the lab technician, you would be able to use that report as, without laying the foundation for that person, without having to bring that person in to lay the foundation in a courtroom, correct?"

Brosnahan: "That's correct, Jim. As you know from working in Cook County, many times we would have to bring lab personnel from Joliet many times...."

Durkin: "That's very difficult."

Brosnahan: ".... they'd be sitting in a courtroom for 6 hours, wasting a day. So, this just makes it prima facie evidence. Now, if the defense attorney wants to question that... that lab technician or that, that ... the person that performed the reports they can still do that."

Durkin: "Okay, but, we're saying for, in the states case in chief you have... you can just... you could place it in as any type of a business record or a certified record, correct?"

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Brosnahan: "That's correct."

Durkin: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendments #1 and 2 to House Bill 2038?' This is final action. All those in favor will signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Have all voted who wish? Mr. Clerk, take the record. On this question, there were 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendments #1 and 2 in House Bill 2038. And this Bill having received a Constitutional Majority is hereby declared passed. On page 4 of the Calendar, appears Senate Bill 480. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "Senate Bill 480 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative John Turner, has been approved for consideration."

Speaker Hartke: "Mr. Turner. John Turner. Out of the record. Place that Bill back. Mr. Turner, would you like to explain Amendment #2?"

Turner, J.: "Am I on, Mr. Speaker?"

Speaker Hartke: "You're on."

Turner, J.: "Representative Black's having a chew a 'Hombre rojo (Redman) and I apologize for stepping out to help him out with that. This is Floor Amendment #2. It's an Agreed Agreement between all the interested parties. The interested parties are the State Medical Society, Trial Lawyers Association, State Bar Association, Health



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Information Outsourcing Service and the Hospital Association. I ask for a favorable vote."

Speaker Hartke: "Is there any discussion? Chair recognizes the Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Previously, I have opposed the Gentleman's idea, but I believe now it is absolutely a fine idea. With this Amendment, the Bill becomes a negotiated and Agreed Bill by those parties and interests. And I would move for the adoption of the Amendment and for the passage of the Bill."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Well, Mr.... Well Mr. Speaker, we now know everyone's happy, right? No one's opposed to this Bill?"

Turner, J.: "No one that I'm aware of is opposed to the Bill."

Skinner: "Now could we learn the content of the Amendment? I know that's a radical idea, Representative."

Turner, J.: "I'm sorry, Representative Skinner, I thought you'd probably already read it cause you're one of the few Representatives, obviously, looks at everything before you vote on it, but, I'd be glad to share with you the content. There's a \$25 processing fee, it includes, no free pages. There is after that, a 37 cent per page cost which will be a maximum that can be charged by a physician, by a hospital or by an attorney. And the maximum will also be \$1 per microfiche, microfilm and there's a colon now in the Bill that was not in the Bill before."

Skinner: "How are, how are the big X-rays and MRIs gonna be handled?"

Turner, J.: "Say that again, how are the what?"

Skinner: "The big X-rays and MRIs that are not on microfiche."

Turner, J.: "X-rays, those kinds of things, MRIs, there's a

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special provision in the Bill that states that is it not covered because those are extraordinary type of costs. So, those would have to be reasonable costs."

Skinner: "Okay, thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Turner to close."

Turner, J.: "Thank you for the questions. Appreciate an 'aye' vote."

Speaker Hartke: "Question is, 'Shall the House adopt Floor Amendment #2 to Senate Bill 480?' All those in favor signify by saying 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Floor Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On Supplemental Calendar #1 appears House Bill 2042. Representative Kenner."

Kenner: "Thank you, Mr. Speaker. I would move to concur with Senate Amendments #1 and 2. The original Bill moved out of the House unanimously. Current law states that, 'Housing authorities, private owners or managers may use the emergency eviction provisions when... when there's evidence of unlawful drug activity or possession use, sale or delivery of a firearm.' What Senate Amendment #1 does is extends those provisions to also allow the eviction of persons convicted of murder, attempted murder, kidnapping, attempted kidnapping, arson, attempted battery, criminal sexual assault, attempted criminal sexual assault, predatory criminal sexual abuse of a child, criminal sexual abuse or attempted criminal sexual abuse. I would move, at this time, to concur with that, Amendment #1. Amendment #2 removes aggravated assault as a basis for emergency evictions. I would answer any questions at this time.

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Thank you."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Black: "Representative, the... my Etch-a-Sketch says that Senate Amendment #1 deleted everything in the Bill. Correct?"

Kenner: "Absolutely."

Black: "So, Senate Amendment #1 and 2 become the Bill and it appears to me that the Senate... is it a safe... is it a fair statement to say that what the Senate has done, what has the Senate done... quite frankly? I... all right, it appears what the Senate has done, it makes evictions easier. Right?"

Kenner: "No, that's... I wouldn't say that that's what the Senate has done. Actually... they... Senate Amendment #1 became the Bill, but it doesn't add anything to the original House Bill that was sent over to them. Actually, it took out some extraneous verbage that was in the original House Bill we sent over there to them. It made it, I think, a lot better Bill. But, it didn't add anything to the Bill."

Black: "Well, I used to be in the rental business. I was watching television late one night and some guy told me I could make a million dollars with no money down. I'd like to find that rascal, I'll tell ya that. I got out of the real estate business shortly after I got in it. But... as I read this Amendment, if I were still in the real estate rental business, I think I'd support this because you're giving me some leeway to evict some really bad tenants under an emergency eviction law. Fair statement?"

Kenner: "Oh, yeah."

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Black: "I don't know how anybody..."

Kenner: "Really bad people."

Black: "... yeah, and I 'll tell ya, I've been there, I've done that, I've bought the tee shirt and got a black eye in the process. I don't know why anybody would stand in opposition to this Bill. When you're in the rental business, whether you're a housing authority or a private owner, as I was, you need all the help you can get to evict bad, underlined bad actors as quickly as possible before they destroy the unit in question and your investment. I stand in strong support of your Bill and I appreciate you bringing it to us."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hartke: "He indicates he will."

Pugh: "Representative, is this Bill designed to move those tenants out of Cabrini Green projects over... over there were that new development is going on?"

Kenner: "No, no, it's not designed to."

Pugh: "Is this designed to allow for unwed mothers to be moved out of their CHA apartments with their, with their children?"

Kenner: "Oh, absolutely not."

Pugh: "Representative, just what is the, what is the genesis of this legislation? Where does this legislation originate?"

Kenner: "This Bill originates from CHA."

Pugh: "And so, who's opposed to this legislation, aside from CTA?"

Kenner: "There's no... no, CHA is the proponent of, is a proponent of this particular legislation. They initiated

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this legislation. Chicago Housing Authority."

Pugh: "Who's on first?"

Kenner: "CHA."

Pugh: "What's... What's on second?"

Kenner: "No, you're on... you're on third, Representative."

Pugh: "What?"

Kenner: "You're on third, now. Getting ready to be tagged out."

Kenner: "Thank you."

Pugh: "No further questions."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2042?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 116 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 and 2 to House Bill 2042. And this Bill having received a Constitutional Majority is hereby declared passed. Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Let the record reflect that earlier today I had some papers laying over my voting switch and I intended to vote 'yes' on House Bill 1194, and did not do so. It was my error and let the record reflect that."

Speaker Hartke: "The Journal will so reflect. On Supplemental Calendar #1 appears House Bill 2283. Representative Tenhouse. Out of the record. House Bill 2330, Representative Skinner. Representative Skinner."

Skinner: "This Amendment says that adding a tie breaker to a

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county health board is permissive, not mandatory. Right now, county boards of health have even numbered boards and we had a situation in our county where, how shall I put it, there was no action for about 4 months on something there should have been action on. And I have..., I therefore move for the acceptance of Amendment #2. Amendment #1."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2330?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2330. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 2355, Representative Brady. Representative Brady. Out of the record. On Supplemental Calendar #1, appears House Bill 2726. Representative Currie. Representative Currie."

Currie: "Thank you, Speaker, Members of the House. The Senate Amendment is just a basic rewrite of the underlying Bill. And the Bill itself provides for the opportunity for a parent who is suffering from a terminal illness to establish the adoptive parent before death happens. This is part of the Stand By Adoption Act. I know of no opposition and I'd appreciate your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2726?' This is final action. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members 'yes', 0 voting 'no' and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2726. And this Bill having received a Constitutional Majority is hereby declared passed. House Bill 2727, Representative Currie."

Currie: "Thank you, Speaker, Members of the House. The underlying Bill provides for the opportunity to complete an adoption that has already been initiated if the parent dies during the course of the adoption proceedings. There was language in the Bill that was not, only not necessary, but it actually was wrong because it referenced adoptions that begin after the death of the adoptive parent. So, the Senate in it's infinite wisdom, took that unnecessary and misleading language out of the Bill. I'd appreciate your support for the concurrence of the Senate Amendment."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2727?' This is final action. All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2727. And this Bill having received a Constitutional Majority is hereby declared passed. Representative Brunsvold, for what reason do you seek recognition?"

Brunsvold: "Mr. Speaker, I neglected to indicate on House Bill 1194 that I would have voted 'yes'."

Speaker Hartke: "The record will so reflect. Supplemental

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Calendar #1 appears House Bill 2790. Representative Coulson. Representative Coulson. Out of the record. House Bill 2823, Representative Zickus."

Zickus: "Thank you, thank you, Mr. Speaker. Senate Amendment 1 adds to the Bill. The Bill had allowed law enforcement officials to use their work address when applying for vehicle registration instead of their home address. Senate Amendment 1 adds their families to that as well. And I know of no opposition."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2823?' This is final action. All those in favor will signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 2823. And this Bill having received a Constitutional Majority is hereby declared passed. Chair recognizes Representative Black."

Black: "Yes, Mr. Speaker, just an inquiry to the Chair."

Speaker Hartke: "State your inquiry."

Black: "Yes, would... would you have a staffer or perhaps Representative Granberg to go up and stand by Representative Brunsvold's desk, help him keep the paper off his switch so he'll... he'll know how to vote?"

Speaker Hartke: "We'll send a janitor over to clean, clean things off."

Black: "Anybody that can help him. I appreciate that, thank you."

Speaker Hartke: "Representative Coulson in the chamber? The



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Chair would like to announce that we are preparing to adjourn. The Clerk will read again, the Committee Notices for tomorrow. Mr. Clerk."

Clerk Rossi: "The following committees will meet immediately after Session: the Computer Technology Committee in Room 122-B, the Constitutional Officers Committee in C-1, the Consumer Protection Committee in D-1, and the Elementary and Secondary Education Committee in Room 114, and the Executive Committee in Room 118. The following committees will meet at 6:30 p. m.: the Elections and Campaign Reform Committee in Room 122-B, the Environment and Energy Committee in Room D-1, and the Human Services Committee in Room C-1. The following committees will meet tomorrow; Thursday, May, 20: the Judiciary I Civil Law Committee in Room C-1, the Judiciary II Criminal Law Committee in Room 118, the Local Government Committee in Room D-1, the Registration and Regulation Committee in Room 114, and the Revenue Committee in Room 122-B. The following committees will meet at 10:30 a. m.: the Public Utilities Committee in Room C-1, the State Government Committee in Room 122-B, and the State Procurement Committee in Room 114. In addition, the Personnel and Pensions Committee will meet at 9:30 in Room 118."

Speaker Hartke: "Allowing perfunctory time for the Clerk, Representative Lang now moves that the House stand adjourned till the hour of 11 a.m. on May 20th. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House stands adjourned."

Clerk Rossi: "The House Perfunctory Session will come to order. Introduction of Resolutions. House Joint Resolution #27, offered by Representative Erwin, is assigned to the Rules

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Committee. House Resolution 316, offered by Representative Younge; House Resolution 324, offered by Representative Kosel; House Resolution 325, offered by Representative Biggins. These Resolutions are assigned to the Rules Committee. Introduction and First Reading of House Bills. House Bill 2870, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2871, offered by Representative Burke, a Bill for an Act concerning mortgages. First Reading of these House Bills. There being no further business, the House Perfunctory Session stands adjourned."